

Minutes of the Special Joint Meeting of Kilkenny County and Borough Councils to discuss the Draft County and City Development Plans 2014-2020 held in the Borough Council Chamber Thursday 23rd May at 3.30 pm

Joint Chairs: Cllr. M. Fitzpatrick & Cllr. John Coonan

In Attendance: Cllr. E. Aylward, Cllr. J. Brennan, Cllr. M. Brett, Cllr. M.H. Cavanagh, Cllr. P. Crowley, Cllr. F. Doherty, Cllr. M. Doran, Cllr. P. Dunphy, Cllr. D. Fitzgerald, Cllr. W. Ireland, Cllr. A.M. Irish, Cllr. J. Leahy, Cllr. T. Maher, Cllr. A. McGuinness, Cllr. J. Moran, Cllr. M. Noonan, Cllr. M. O'Brien, Cllr. T. Prendergast, Cllr. J. Reidy, Cllr. Maurice Shortall

Officials: Mr. Joe Crockett, County Manager, John McCormack, DOS, John Mulholland, DOS, Anne Maria Walsh, Senior Executive Officer, Nicolaas Louw, Senior Executive Planner, Caitriona O'Sullivan, Executive Planner, Claire Kelly, Executive Planner, Jane O'Reilly, Executive Planner.

Apologies: Cllr. Seán Ó hArgáin, Cllr. T. Breathnach, Cllr. C. Connery, Cllr. C. Long, Cllr. P. Millea

John McCormack commenced the meeting by outlining that the purpose of this meeting was to resolve to adopt the amendments to the Draft Plans. Four meetings have been held in committee to allow members an opportunity to review and discuss the Draft Plans. He outlined that the proposed amendments have been circulated at both the Borough and County Council Special Meetings on the 20th May and 23rd May 2013. These proposed amendments are as follows:

A. Draft County Development Plan

Proposed insertions in *italics*

Proposed deletions in ~~strikethrough~~

* Denotes change arising from Strategic Environmental Assessment

i) Changes arising from internal consultations

Chapter 1 Introduction

1.5 Structure of the Plan

The Plan consists of a written statement and accompanying maps and includes ~~policies~~, strategies and objectives for the County at large. The first eleven chapters *outline* the Councils views on each topic ~~policies~~ and contain objectives *and Development Management Standards* in relation to specific ~~policy areas~~. It must be noted that each chapter is not a stand-alone chapter, but should be read in conjunction with all other chapters ~~and policies~~.

Objective: To implement the Development Management Standards as set out in the Plan as appropriate.

Chapter 3 Core Strategy

**Strategic Aim: To implement the provisions of the Regional Planning Guidelines and to target the growth of Kilkenny City, Ferrybank/Belview, the District Towns, the other settlements in the hierarchy and rural areas to advance sustainable development.*

3.2 Development Strategy

In the promotion of development generally, the Local Authority will focus on opportunities for the redevelopment and renewal of areas in need of regeneration, whether urban or rural.

Objective: To promote the redevelopment and renewal of areas in need of regeneration.

3.5.2 Backland Development

~~However in limited cases where the proposed development is such that the impact on residential amenity, the environment and traffic can be resolved, the Planning Authority may consider a grant of permission.~~

Chapter 4 Economic Development

**Strategic Aim: To provide a framework for the implementation of the Council's economic strategy and the protection of the environment and heritage, to position the county for sustainable economic growth and employment.*

Chapter 5 Housing and Community

**Strategic Aim: To integrate the planning and sustainable development of the county with regard to the housing, social, community and cultural requirements of the county and its population.*

*5.9 Social Integration

~~Objective: To~~ *The Council will support the Kilkenny Integration Forum to achieve the aims and objectives set out in the *Kilkenny Integration Strategy 2013-2017*.*

*5.12 Positive Ageing

~~Objective: To~~ *The Council will support the aims of the [Kilkenny Age Friendly County Strategy](#) and make Kilkenny an Age Friendly County.*

Chapter 6 Rural Development

**Strategic Aim: To manage rural change and guide development to ensure vibrant and sustainable rural areas.*

Chapter 7 Recreation, Tourism and the Arts

**Strategic Aim: To protect and improve recreational, tourism and arts facilities for the benefit of residents and for the promotion of tourism.*

Chapter 8 Heritage

**Strategic Aim: To seek the protection, sustainable management and where possible, enhancement of heritage for the benefit of current and future generations and to promote increased awareness of heritage.*

8.1 Introduction

~~Through its policies and actions the Council will promote increased awareness of the heritage of the county.~~

*8.2.1.1 Protected Areas of International Importance: Natura 2000

Conservation Management Plans have been drawn up for a number of Natura sites, but for only one in Kilkenny to date, for Cullahill Mountain SAC. Such plans include descriptive information and a management framework section that outlines objectives and strategies. The National Parks and Wildlife Service will be requested to prioritise the preparation of Conservation Management Plans for Natura 2000 Sites which are located in County Kilkenny. This is in order to examine how the Conservation Objectives of the sites can be achieved in the context of the proper planning and sustainable development of the county.

* Figure 8.3: Include additional protected views – and in Appendix – from Woodstock LAP where they impact outside of LAP development boundary.

25.	Woodstock viewed from South Leinster Way east of Inistioge
26.	The Nore and Inistioge Bridge viewed from Mount Sandford Castle
27.	Inistioge Bridge viewed through woodland on road to Woodstock House
28.	View from Mount Alto Tower towards Inistioge village
29.	View from Mount Alto Tower along the Nore Valley to New Ross
30.	View from the Winter Garden Terrace across the Nore Valley

8.2.4.1 County Geological Sites

In the interim, the Council will seek to maintain the geological value of these sites and to protect, and where appropriate, enhance the geological and geomorphological heritage values of County Geological Sites listed in Appendix E. *The locations of the sites are shown on fig 8.1*

8.2.5 Woodlands, Trees and Hedgerows

**The National Survey of Native Woodlands (NSNW)*

The NSNW surveyed a total of 58 sites in Kilkenny as part of a National Survey (BEC consultants 2003-2008). A range of data types from both the general site survey (e.g. area, occurrence of rare species, presence of hydrological features) and a sample dataset of the trees (e.g. structural diversity, regeneration status) was used to produce a conservation score for each of the woodlands surveyed.

**Ancient woodlands*

Ancient woodlands are defined in Ireland as areas which have been wooded since 1660. Possible ancient woodlands (PAWS) and long established woodlands (LEWS) were identified from documentary and archaeological evidence by the NPWS. A total of 28 PAWS and LEWS were identified in Co. Kilkenny.

8.2.5.1 Hedgerows - Have regard to,

c) ~~City and Environs Tree Survey of Mature Trees in Kilkenny City and Environs~~

d) *the National Survey of Native Woodlands and Ancient Woodlands*

**New section 8.2.7 Peatlands*

Peatlands are important ecosystems sustaining a range of animal and plant species. The distribution of peatland in Kilkenny is shown on Figure 8.3. This amounted to approximately 1.3% of the total land area of Co. Kilkenny in 2006. There is no industrial extraction of peat for energy and horticulture

in Kilkenny, however damage to peatland can occur from domestic peat extraction, afforestation, wind farms, recreational activities and invasive species.

Development Management Standard

To protect peatlands from inappropriate development having regard to their amenity and biodiversity value and their visual sensitivity.

8.3.1.1 Walled Towns

County Kilkenny has a rich medieval heritage and contains a number of walled towns and villages, of which Kilkenny city is perhaps the best known. There are also other towns and villages throughout the county which are known to have been walled, including Callan, Gowran, Inistioge and Thomastown. *Town defences are considered to be monuments for the purposes of the National Monuments Acts, 1930-2004.* The Council will support the National Policy on Town Defences *which sets out national policy for the protection, preservation and conservation of the defences of towns and cities.*

*8.3.3 Conservation Plans

Objective:

To facilitate *and support* the implementation of *existing (and any further)* conservation plans prepared with the support of the County Council over the lifetime of the Plan, *as resources allow.*

Chapter 9 Infrastructure and Environment

**Strategic Aim: To provide a framework for the protection of the environment, including water quality, the avoidance of flood risk and the provision of a high quality telecommunications infrastructure.*

*9.1.2 Water supply

The Council shall consult the EPA publication 'The Provision and Quality of Drinking Water in Ireland' (which is reviewed and published on a periodic basis) and the EPA's 'Remedial Action List' in the establishment and maintenance of water sources in the County.

*9.3.3 Gas objective

~~To secure an extension of the gas network to Belview. (Covered in 4.6.2 Belview Port)~~

9.4.1.1 Metropolitan Area Networks

Objective: To *facilitate the* delivery of high quality broadband to the District Towns in the county

Chapter 10 Renewable Energy Strategy

**Strategic Aim: To promote and facilitate all forms of renewable energies and improvements in energy efficiencies as a response to climate change.*

Chapter 11 Transport

11.7.8.1 Road Objectives

To support the implementation of the NRA projects as outlined.

- *Reserve the proposed line of the western bypass for the city from the Castlecomer Road to the Callan Road free from development.*

Chapter 12 Requirements for Developments

**Strategic Aim: To encourage the creation of living and working environments of the highest quality by ensuring a high quality of design, layout and function for all development under the Planning Acts and Regulations, to conserve and build upon positive elements in the built and natural environment, and to protect amenities.*

12.1 Introduction

~~The purpose of this section of the Plan is to encourage the creation of living and working environments of the highest quality by ensuring a high standard of design, layout and function for all development under the Planning Acts and Regulations, to conserve and build upon positive elements in the built and natural environment, and to protect amenities.~~

12.2 Pre-planning meetings

Applicants are encouraged to avail of this service *for all development proposals but particularly for one-off rural houses, or large scale projects.*

Table 12.6 Amenity Development Thresholds

Delete references to "District play area"

12.6 Phased Residential Development

The Council will apply a sequence to the phasing to ensure that each phase is served by adequate services and infrastructure.

12.7 Open Space – Private open space

The boundaries of rear gardens should generally be provided with a permanent durable barrier with a minimum height of ~~1.4m~~ *1.8m. Where rear gardens back onto public areas, excluding a public roadway, this height should be increased to 1.8 m.*

12.10.16 Tree and hedgerow Preservation

Development will not generally be permitted where there is likely damage or destruction either to trees protected by a TPO or those which have a particular local amenity or nature conservation value, *or are listed in the Survey of Mature Trees in the City and Environs.*

12.11.7 Amenity / Green links/Biodiversity conservation/ Open Space/Recreation

Objective: *To allow for green links and biodiversity conservation and to preserve, provide and improve recreational open space.*

ii) Proposed changes to Draft County Plan arising from Councillor proposals at Special meetings held in committee

Chapter 3 Core Strategy

3.5.2 Rural Housing Policies (Cllr. Doran)

Ribbon development: *is defined as existing where there are 5 or more houses on any one side of a given 250 metres of road frontage. If four houses exist on any one side of a given 250 metres of road frontage, it is likely that ribbon development may be created with an additional house.*

3.5.2 Rural Housing Policies

Local area: Local area is defined as within approximately ~~5km~~ *8km* from the site, excluding defined urban areas.

3.5.2.1 Areas under Urban Influence

2. Immediate family members of people intrinsically linked* to the area to include brothers, sisters, sons ~~and~~ daughters, *nieces, nephews and grandchildren.*

*Persons who are an intrinsic part of the rural community

Examples in this regard might include sons and daughters of families living in rural areas who have grown up in rural areas and are perhaps seeking to build their first home near their family place of residence. *The Council will also consider nieces, nephews and grandchildren in this regard.*

Chapter 5 Housing and Community

5.11 Health (Cllr. Noonan)

Insert reference to the National Wellbeing Plan.

Chapter 6 Rural Development

6.3 Fishing (Cllr. Prendergast)

The Barrow, Nore and Suir are historically renowned as premier salmon and coarse fishing rivers in Ireland, *although salmon fishing no longer takes place on the River Barrow.*

Chapter 7 Recreation, Tourism and the Arts

7.2.2 Walking and Cycling

Possibilities for improved signage and maps should be facilitated to ensure wider access to the county's recreational assets. (Cllr. Cuddihy)

Include reference to the River Barrow path (Cllr. Prendergast)

7.8.2 The Tourism Product

Festivals (Cllrs. Long and Breathnach)

Festivals such as Éigse, Slieverue and the Iverk Show are long-running shows that contribute to tourism in the county.

Chapter 11 Transport

Objective (Cllr. Noonan)

To investigate the establishment of a Transport Forum to oversee Transport policy of the county.

11.7.6 Road improvement projects (Cllr. Dunphy)

The Council, with the support of the NRA, is progressing/developing a number of schemes within County Kilkenny as follows:

B Draft City & Environs Development Plan

i) Changes arising from internal consultations

Chapter 1 Introduction

1.5 Structure of the Plan

The Plan consists of a written statement and accompanying maps and includes ~~policies~~, strategies and objectives for the City at large. The first eleven chapters contain ~~policies and objectives~~ and *Development Management Standards* in relation to specific ~~policy areas and topics~~. It must be noted that each chapter is not a stand-alone chapter, but should be read in conjunction with all other chapters ~~and policies~~.

Objective: To implement the Development Management Standards as set out in the Plan as appropriate.

Chapter 2 Demographic and Socio-Economic Trends

Chapter 3 Core Strategy and zoning

**Strategic Aim: To implement the provisions of the Regional Planning Guidelines and to target the growth of Kilkenny City in a compact urban form to advance sustainable development.*

3.4.5.6 Amenity / Green links/Biodiversity conservation/ Open Space/Recreation

Objective: *To allow for green links and biodiversity conservation and to preserve, provide and improve recreational open space.*

Chapter 4 Economic development

**Strategic Aim: To provide a framework for the implementation of the economic strategy and the protection of the environment and heritage, to position the city for sustainable economic growth and employment.*

Chapter 5 Housing and Community

**Strategic Aim: To integrate the planning and sustainable development of the city with regard to the housing, social, community and cultural requirements of the city and its population.*

***5.6.1 Childcare**

Objective: *The Council will facilitate the provision of childcare....*

***5.7.2 .1 Primary and Post primary**

Objective: *The Council will liaise with the Department of Education...*

Chapter 6 Recreation, Tourism and the Arts

**Strategic Aim: To protect and improve recreational, tourism and arts facilities for the benefit of residents and for the promotion of tourism.*

Chapter 7 Heritage

**Strategic Aim: To seek the protection, sustainable management and where possible, enhancement of heritage for the benefit of current and future generations and to promote increased awareness of heritage through policies and actions.*

7.1 Introduction

~~Under this remit the Councils will seek the protection, sustainable management and where possible, enhancement of the heritage of Kilkenny City for the benefit of current and future generations. By preserving characteristic features of the City & Environs, we seek to maintain and nurture our environment and cultural heritage as part of our identity. Through its policies and actions the Council will promote increased awareness of the heritage of the county.~~

***7.2.1.1 Protected Areas of International Importance: Natura 2000**

Conservation Management Plans have been drawn up for a number of Natura sites, but not for either of the sites in Kilkenny city. Such plans include descriptive information and a management framework section that outlines objectives and strategies. The National Parks and Wildlife Service will be requested to prioritise the preparation of Conservation Management Plans for the two Natura 2000 Sites which are located in Kilkenny. This is in order to examine how the Conservation Objectives of the sites can be achieved in the context of the proper planning and sustainable development of the city.

***7.3.3 Conservation Plans**

Objective:

To facilitate and support the implementation of the existing (and any further) conservation plans and future conservation plans prepared with the over the lifetime of the Plan, as resources allow.

Chapter 8 Infrastructure and Environment

**Strategic Aim: To provide a framework for the protection of the environment, including water quality, the avoidance of flood risk and the provision of a high quality telecommunications infrastructure.*

***8.1.2 Water supply**

The Council shall consult the EPA publication 'The Provision and Quality of Drinking Water in Ireland' (which is reviewed and published on a periodic basis) and the EPA's 'Remedial Action List' in the establishment and maintenance of water sources in the City.

8.2.1.2 Noise mapping

In Kilkenny city the following areas are within the subject criteria of the Regulations:

~~Sections of the N10 in the Environs of Kilkenny city~~

~~Sections of the N76 & N77 in the Environs of Kilkenny city~~

~~Sections of the R693, R695, R712, R886, R887, R909, R910, R950~~

Chapter 9 Renewable Energy Strategy

Chapter 10 Transport

**Strategic Aim: To promote and facilitate all forms of renewable energies and improvements in energy efficiencies as a response to climate change.*

***10.4.9 Electric vehicles**

~~Objective:~~ *The Councils will Support the Government's target on electric vehicles by facilitating the roll out of charging infrastructure for electric vehicles.*

Chapter 11 Requirements for Developments

**Strategic Aim: To encourage the creation of living and working environments of the highest quality by ensuring a high quality of design, layout and function for all development under the Planning Acts and Regulations, to conserve and build upon positive elements in the built and natural environment, and to protect amenities.*

11.1 Introduction

~~The purpose of this section of the Plan is to encourage the creation of living and working environments of the highest quality by ensuring a high standard of design, layout and function for all development under the Planning Acts and Regulations, to conserve and build upon positive elements in the built and natural environment, and to protect amenities.~~

11.2 Pre-planning meetings

Applicants are encouraged to avail of this service *for all development proposals but* particularly for large scale projects.

11.6.1 Private open space

The boundaries of rear gardens should generally be provided with a permanent durable barrier with a minimum height of ~~1.4m~~ *1.8m*. ~~Where rear gardens back onto public areas, excluding a public roadway, this height should be increased to 1.8 m.~~

11.6.3 Open space in new residential development

Table 11.6 Amenity Development Thresholds

Delete references to "District play area"

11.8 Phased Residential Development

The Councils will apply a sequence to the phasing to ensure that each phase is served by adequate services and infrastructure.

*11.12 Signage and Advertising

~~Obj: To restrict non essential advertising structures, or any advertising structure which would impact injuriously on amenity, the built environment or road safety.~~

~~It is the policy of the The Planning authority to will strictly control all advertising signs in relation to their location, design, materials and function and will restrict non essential advertising structures, or any advertising structure which would impact injuriously on amenity, the built environment or road safety.~~

ii) Proposed changes to Draft City Plan arising from Councillor proposals

Chapter 5 Housing and Community

5.10 Health (Cllr. Noonan)

Insert reference to the National Wellbeing Plan.

Members were afforded an opportunity to consider these amendments. There was agreement that these changes should be included in the Draft Plans.

Anne-Maria Walsh then read out the proposed resolution for Kilkenny County Council.

"We, the members of Kilkenny County Council, having considered the Draft County Development Plan 2014-2020 (dated 15th April 2013) and the Draft City & Environs Development Plan 2014-2020 (dated the 26th April 2013) under Section 11 (5)(b) of the Planning & Development Acts 2000-2012 at the meetings of Kilkenny County Council held in committee on the 26th April, 30th April, 13th May, 20th May and at the ordinary meeting on the 23rd May 2013, do hereby resolve that the Draft Development Plans should be amended in accordance with the decision made at a meeting of Kilkenny County Council held on the 23rd May 2013".

This was proposed by Cllr. Brett and seconded by Cllr. Ireland and agreed by all members.

Anne-Maria Walsh then read out the proposed resolution for Kilkenny Borough Council.

"We, the members of Kilkenny Borough Council, having considered the Draft City & Environs Development Plan 2014-2020 (dated the 26th April 2013), under Section 11 (5)(b) of the Planning & Development Acts 2000-2012 at the meetings of Kilkenny Borough Council held on the 13th May, 20th May (in committee), and 23rd May 2013, do hereby resolve that the Draft

Development Plan should be amended in accordance with the decision made at a meeting of Kilkenny Borough Council held on the 23rd May 2013”.

This was proposed by Cllr. Reidy and seconded by Cllr. Brett.

AOB

Following the site visit today, Mr. Joe Crockett updated the meeting on the proposed plans for the Smithwick’s site. He outlined that Reddy Associates have been appointed to carry out a review of the existing buildings on site, to determine possibilities for retention and reuse. This report is due next week, so this will be brought to the Members shortly afterwards.

A detailed discussion took place in relation to the future development of this area. Contributions were made by Cllr. M. Noonan, Cllr. J. Leahy, Cllr. M. O’Brien, Cllr. T. Maher, Cllr. M.H. Cavanagh, Cllr. M. Brett, Cllr. J. Brennan, Cllr. J. Reidy, Cllr. D. Fitzgerald, Cllr. P. Crowley, Cllr. M. Shortall, Cllr. E. Aylward and Cllr. J. Moran.

Mr. Crockett stated that no decisions would be made without consulting the members. A Special Meeting will be convened at a later date, when the report on the condition of the buildings is received.

Signed: _____
Cathaoirleach

Date: _____