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**MIONTUAIRISCÍ NA CRUINNITHE SPEISIALTA PLEANÁLA DE COMHAIRLE
CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN
CHONTAE, TRÁ LÍ, AR AN LUAN 2 NOLLAG 2013.**

**MINUTES OF THE SPECIAL PLANNING MEETING OF KERRY COUNTY
COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE,
TRALEE ON MONDAY 2ND DECEMBER 2013.**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

R. Beasley	J. Brassil	T. Buckley
M. Cahill	S. Counihan	B. Cronin
J.J. Culloty	P.J. Donovan	T. Ferris
J. Finucane	S. Fitzgerald	N. Foley
M. Gleeson	M. Griffin	D. Healy-Rae
J. Healy-Rae	P. Leahy	P. McCarthy
A. McEllistrim	B. O'Connell	P. O'Donoghue
M. O'Shea	L. Purtill	J. Sheahan
G. Wharton-Slaterry		

IN ATTENDANCE/I LÁTHAIR

Mr. T. Curran, Co. Manager	Mr. M. McMahon, Dir of Planning
Mr. J. Breen, Dir. Hsg. & Comm. & Ent	Mr. J.D. Flynn, Dir. Corp. Serv.
Mr. O. Ring, Dir. Env. & Water Serv.	Mr. C. O'Sullivan, Dir.of Ser.&Nat.Proc.Off.
Mr. G. MacNamara, D/Dir. of Roads	Mr. P. Stack, SE Planning
Ms. M. Enright, Sen. Exec. Planner	Ms. J. McCarthy, SEO Planning
Ms. D. O'Malley, Sen. Exec. Planner	Mr. E. Fleming, Executive Planner
Ms. A. M. Costelloe, Asst. Planner	Ms. A. Murphy, Assistant Planner
Mr. A. Doyle, Exec. Planner	Mr. G. O'Brien, Mtgs. Administrator
Mr. L. Brosnan, AO Planning	Mr. P. Corkery, Press & Comm. Off.
Ms. B. Reidy, S.S.O. Corp. Affairs	Ms. O. O'Shea, CO Corp. Affairs

The meeting commenced at 12.00pm.

The Mayor, Cllr. S. Fitzgerald took the Chair.

Suspension of Standing Orders

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Mayor S. Fitzgerald it was agreed to suspend Standing Orders to allow tributes to be paid to the late Denis Foley former member of Kerry County Council.

Tributes to the late Denis Foley

The Mayor said he was sure all members and the Executive would join with him in paying tribute to the late Denis Foley, former member and Chair of this Council and former TD.

A number of members had the good fortune to serve in this Chamber with Denis. Those who did will remember a dedicated public representative, quietly spoken, but very well respected by his fellow councillors.

His dedication in helping the people of North Kerry and Tralee was well known and he gave many years of dedicated service to his constituents who appreciated his hard work, courtesy and experience.

Denis was first elected to Kerry County Council in 1979 and he was elected to the Dáil in 1981 for the first time. He applied his work ethic in the Dáil as well, representing this county and working with his fellow Kerry TD's on behalf of the county. Even outside of the political sphere, Denis's selfless service to the public continued as he worked with the Community Games movement and was President of the Irish Basketball Association.

On behalf of the Council the Mayor extended his sympathy to Denis's wife (*names withheld for data protection purposes. A paper copy of the unedited minutes is available on request.*). Norma of course is following in her father's political footsteps here in Kerry County Council and he had no doubt that she received the best guidance and advice she could from Denis. Ar dheis Dé go raibh a hanam.

Cllr. J. Brassil said he was very pleased Denis's family were invited to the meeting to allow members pay tribute to him so they would understand the high regard in which he was held. Denis was a gentleman, a nice man, calm and composed. His first experience of Denis was after the Local Elections in 1999 when he was first elected to Kerry County Council at the Annual Meeting tensions were running high and there was a lot of jostling for positions on various committees. There was a particular committee that Cllr. Kiely wanted to get on but there was no position available for him. However the opposition could not agree on their nominations and eventually Denis proposed Cllr. Kiely for the position and he was successful. It was amazing to watch this political manoeuvring and how this quiet man went about his business. Denis was elected on many occasions which was proof of the hard work he did for the

people of North Kerry. As a TD he kept all his party colleagues on Kerry County Council informed of any relevant developments that impacted on their area. In Ballyheigue he was trying to secure funding for improvement works to Droumator Pier and Denis quietly arranged for the then Minister Frank Fahy to come and meet with the local community at the Pier. Funding was subsequently allocated and the improvement work was carried out. Denis did his work quietly and did not seek publicity. As party Whip in Kerry County Council he had a great ability to get difficult decisions over the line. He allowed the debate to continue and he could summarise accurately all the contributions made and the vote would be secured. Denis was the ultimate politician and it was a pleasure to have served with him. It must have given Denis great satisfaction to see Norma elected to Kerry County Council to follow in his footsteps. May he rest in peace and his legacy lives on.

On behalf of the Fine Gael Party Cllr. B. O'Connell acknowledged the service given by Denis Foley while he was a member of Kerry County Council. He extended his condolences to Denis's wife (*name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) and family. Cllr. O'Connell said he knew Denis since the General Election in 1981 and he then got to know him better when he himself was first elected to Kerry County Council in 1991. Denis held his seat in three elections and he got great support in North Kerry and in particular in Castleisland which was a very strong base for him. It was an honour to serve with him on Kerry County Council and he had a great sense of humour. He was also a great competitor during elections. In conclusion Cllr. O'Connell said Denis's family can be very proud of his achievements and he is a credit to Kerry County Council, the County and Dáil Éireann.

Cllr. T. Ferris said the first time she met Denis Foley was in Cumann Iosaf at a General Election Count in 1987. In the last few hours before the Count was completed it looked as though Denis might lose his seat but he was an absolute gentleman. He spoke with her family and was very gracious. When she was first co-opted to the Council in 2003 he was very supportive and helpful to her. At that time she was not familiar with the workings of the Council and Denis was Chair of the Tralee Electoral Area Committee. He explained in detail how the meetings were run and following the meeting he would phone her and advise her on decisions taken at the meeting. This was amazing from someone who was not from the same political party. She welcomed his advice and support which he gave willingly. On behalf of the Sinn Féin Party she extended her deepest sympathy to Denis's wife (*name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) and family.

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Cllr P. Leahy welcomed the Foley family to the meeting. When he was first elected to Kerry County Council in 1991 he served with Denis. When Denis was Chair of the Council he was fair to all members. He will be a great loss to his family and in particular to Norma as he was always there to give her advice. Denis was an outstanding politician who worked hard for the people of North Kerry.

On behalf of the Healy Rae family Cllr. D. Healy Rae welcomed the Foley family to the meeting and he extended his deepest sympathy to them. Denis's success in being re-elected in many elections is a testament to the great man he was. Jackie Healy Rae said he was a martyr for detail and he would always get a positive result. Denis did excellent work for Tralee and North Kerry and his family can be very proud of him. Denis was very helpful to him when he was co-opted to the Council in 2003.

Cllr. B. Cronin welcomed the Foley family to the meeting and extended his sympathy to them on their sad loss. Denis served with his late father PJ who said he was known for his manoeuvring. Denis had a tremendous knowledge and experience and he represented North Kerry in the Dáil very well. Denis was a gentleman and he was acutely aware that this is a very sad day for his family but added that it is important to remember Denis's achievements and to pay tribute to him. He will be remembered very fondly in North Kerry, around the County and nationally. He was a very honourable man and he again extended his sympathy to the Foley family.

Cllr. M Cahill said he wished to be associated with the expressions of sympathy to the late Denis Foley. He was a gentle man, warm, affectionate and chatty. He was very helpful to him when he was co-opted to the Council following the death of his father. He gave solid advice at all times. Denis gave excellent service to the people of North Kerry and Tralee and he was the leader of the Council. At Estimates Meetings he came into his own and tourism was very important to him. He would always ensure Cork/Kerry Tourism got support from the Council together with the Cork/Swansea Ferry. He extended his sympathy to Denis's wife (*name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) and the Foley family.

Cllr. M. Gleeson said that he first became a councillor 30 years ago Denis Foley welcomed the newcomers and treated them with dignity. He was very impressed with his ability as Chair of the Council as he let debates evolve and would secure a decision at the end. Denis's later years in politics were difficult but it is important that this would not cloud his service to his constituents. We all make mistakes and the good person will dust themselves off and continue to work for the community. Denis's family can be very proud of the way he served the community. Cllr. Gleeson extended his deepest sympathy to Denis's wife (*names withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) and her family.

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Mr. Curran, County Manager, said on his own behalf and on behalf of all staff he extended his condolences to Norma, *(name withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* and family. In 1997 when he came as County Engineer to Kerry County Council Denis spoke to him and offered his assistance in any way possible. This was a lovely gesture and he appreciated it. Denis's qualities were summed up well by members in that he was a quiet spoken, gentle man. Staff had great respect for him and he had great respect for staff. In the Council Chamber he always lived up to what he promised. In conclusion the Manager said Denis was very proud when Norma was first elected to Kerry County Council.

The Mayor said he wished to be associated with the tributes paid to Denis. He served on Kerry County Council with him for three years and he always gave very sound advice.

On behalf of her family Cllr. Norma Foley thanked the Mayor, members and staff for the tributes paid to Denis. She thanked them for the beautiful Mass in his memory and the choir for their excellent contribution. She said Denis was a very humble man who would be embarrassed by the tributes but he would have appreciated them.

13.12.02.01 Revised date for the Kerry County Council 2014 Budget Meeting

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. P. O'Donoghue, it was agreed that the Kerry County Council Budget Meeting would be held on Monday, 6 January 2014 at 10:30 a.m.

13.12.02.02 Further dates for Special Planning Meetings

Mr. M. McMahon, Director of Planning, informed the meeting it would be necessary to convene at least two further meetings to conclude consideration of the Draft Kerry County Development Plan 2015 - 2021.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. T. Ferris it was agreed that further Special Planning Meetings to consider the Draft County Development Plan would be held on Monday, 9th December 2013 and on Monday, 13th January 2014 at 10:30 a.m.

13.12.02.03 Approval for the opening of Tenders

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. M. Gleeson, it was agreed to approve the opening of tenders for the Supply and Installation of a Sludge Acceptance Plant at Tralee Wastewater Treatment Plant – Closing date: Thursday 5th December 2013 at 3 p.m.

13.12.02.04 Draft Kerry County Development Plan 2015 – 2021

Members Duties under Ethics Legislation

Mayor Fitzgerald informed members that he wished to remind them of their duties under Part 15 (Ethics Framework) of the Local Government Act 2001 and the Code of Conduct for Councillors. He then read the following statement into the record of the meeting.

“Councillors should be aware that the onus for complying with the requirement of the Act and the Code of Conduct lies with each individual Councillor. Under the beneficial interest provision and should that provision apply, a Councillor must

- (1) Disclose the nature of his/her interest or the fact of a connected persons interest at the meeting and before discussion or consideration of the matter commences and
- (2) Withdraw from the meeting for so long as the matter is being discussed or considered, and accordingly, he/she shall take no part in the discussion or consideration of the matter and shall refrain from voting in relation to it.”

In conclusion the Mayor informed members that there could be no interaction with members of the public during the meeting. He added that he would have to attend a launch by FÁS at 2pm but he would be back at 2.30pm.

Mr. M. McMahon, Director of Planning, said members were now commencing consideration of one of the most important documents that will impact on the development of the County for many years to come. The review process commenced on 27th March 2013 with an initial phase of Public Consultation based on an Issues Document prepared to promote discussion. A total of 56 no. written submissions were received.

The County Manager’s Report on submissions received was considered by the elected members and directions regarding the policies and objectives to be contained in the Plan were issued to the County Manager at a meeting held on 2nd September 2013. This Draft Plan has been prepared having regard to the directions received from the Members. The Draft Plan issued to members on 22nd November 2013. Members now have eight weeks to consider the Draft Plan and the last day is 17th January 2014. Mr McMahon referred members to Table 1.1 on Page 2 of the Draft Plan where the schedule for the Development Plan Review Process and Indicative Timescale is set out. We are presently halfway through that process and members earlier agreed two further Special Planning Meetings to consider the Draft County Development Plan. If a further meeting is required it will be facilitated. In accordance with the legislation in considering the Draft Plan members “shall be restricted to considering, the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any local authority in the area and any relevant policies or

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objectives for the time being of the Government or any Minister of the Government”

The focus of the Plan is on physical development and land-use and how we can help to achieve the sustainable economic and social development of the County.

Mr McMahon said the Draft Plan consists of 4 no. Volumes as follows:-

Volume 1

Consists of a number of Integrated Strategies and each Strategy includes policies to assist in achieving the goals of the Plan and supporting objectives to achieve those policies.

Volume 2

Consists of a number of Appendices which also form part of this Plan.

- Record of Protected Structures
- Public Rights of Way
- Housing Strategy

Volume 3

Landscape Amenity, Environmental Designation and Zoning Maps.

Volume 4

The Plan preparation process requires 3 no. different Environmental Assessments. The environmental assessments provide information on a number of environmental factors and inform policy makers and the public of the effects the plan, when implemented, will have on certain elements of the environment. The three assessments are:-

- A Strategic Environmental Assessment (SEA) which assesses the likely significant effects the Plan will have on the environment.
- An Appropriate Assessment (AA), contained in a Natura Impact Report (NIR), which assesses the likelihood for significant adverse effects on the integrity of the Natura 2000 network
- A Strategic Flood Risk Assessment (SFRA) of flood risk in the area and associated policies.

Mr. McMahon informed members that the Appropriate Assessment would issue to them the following day. He paid tribute to his staff who worked so hard to prepare the Draft Plan. This is the first time the entire County Development Plan was prepared in-house. It is a testament to the skills set of his staff and up till now much of this work was outsourced to consultants. He thanked in particular Mr. Paul Stack, Ms. Marguerite Enright, Mr. Declan O'Malley, Ms. Anne Moriarty and Ms. Noelle O'Connor.

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Mr. McMahon stated in accordance with Section 10 (1D) of the Planning & Development Acts 2000-2013 a development plan must include a written statement which shows that the development objectives in the development plan are consistent, as far as practicable, with the conservation and protection of the environment.

He then drew members attention to Section 28 of the Planning & Development Act 2000 – 2013 and the Miscellaneous Provisions Act 2011 which states a Planning Authority shall append to the Draft Development Plan, a statement that:-

- Demonstrates how the Planning Authority has implemented the policies and objectives of the Minister contained in Section 28 Guidelines when preparing the Draft Plan.
- If applicable, where a Planning Authority formed the opinion that it is not possible because of the nature and characteristics of the area, or part of the area, to implement certain policies and objectives of the Minister contained in the Guidelines; it shall give reasons for the forming of the opinion and why the policies and objectives of the Minister have not been so implemented.

The Minister has issued approximately 20 documents and the Draft Plan complies with these. The list of Section 28 Guidelines issued by the Minister is set out on Pages 6 to 9 inclusive. Mr McMahon referred members to Page 9 and the Guideline on Flood Risk Management and said a Strategic Flood Risk Assessment (SFRA) has been carried out for County Kerry having regard to The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009. The SFRA is contained within Volume 4 of the Plan. Policies and objectives in relation to flood risk management are included in the Plan. There is a prescribed population growth for the proposed Municipal Districts and these will inform the Plans for these Districts. He pointed out that it will be a matter for each Municipal District to adopt a Local Area Plan and not the full Council as he understands it.

Members now have eight weeks to consider the Draft Development Plan. The dates agreed for the three Special Planning Meetings are 2nd and 9th December 2013 and 13th January 2014 and an additional meeting can be held on the 17th January 2014 if required.

Mr. McMahon said that the format for the consideration of the Draft Plan needed to be agreed and he suggested that members would go through it Chapter by Chapter but once consideration of a Chapter concluded it would not be revisited. Once the Draft Plan is agreed it must be published within 2 weeks and it will be on public display for 10 weeks. Following this the Manager's Report on submissions will be prepared and it is anticipated it will be brought to Council in

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late June or early July 2014. It is important to get the Draft Plan out on public display and members will have further opportunities to have an input later in the process.

Cllr. T. Ferris said she had difficulty with closing off a Chapter without the option to revisit it. As members consider subsequent Chapters they may realise that there is an issue they should revisit in a previous Chapter.

Cllr. J. Healy Rae agreed with the view expressed by Cllr. Ferris.

Cllr. J. Finucane concurred with the approach outlined by the Director of Planning and said all members had the Draft Plan in advance of the meeting. If members agree to go through the Draft Plan Chapter by Chapter and then revisit some of the Chapters it will never be concluded. An agreed format must be adopted and he PROPOSED that the format outlined by the Director of Planning would be adopted.

Cllr. J. Brassil said in considering the last two County Development Plans once a Chapter was concluded it was not revisited. If members revisit Chapters it will never be concluded. However if a major issue arises members should have the option to revisit the relevant Chapter. He SECONDED Cllr. Finucane's proposal that members would agree to the format suggested by the Director of Planning.

Cllr. S. Counihan said that this Plan will be in place for six years and he requested a clear definition of how it will be implemented over that period of time. Municipal Areas have the right to change it as he understood it. He asked what would be the role of the Municipal District going forward. He also understood the full Council will have no say in the Municipal District Plan.

In response Mr. McMahon said the County Development Plan is a broad strategic document while the Local Area Plans are next in line to it. Over time the Planning Department prepared 13 Local Area Plans based on the functional areas. The functional areas going forward are the Municipal Districts. The next plans to be considered will be the next round of Local Area Plans. There is no zoning in the County Development Plan as it is a broad document and zonings are contained in the Local Area Plans. As the legislation stands at present it is proposed that each Municipal District will adopt a Municipal District Plan. The County Development Plan is a strategic framework for planning in the County. The Plan was prepared on the basis of Municipal Districts. If this was not done it would be out of date following public consultation as the Municipal Districts will then be in place. The legal position in relation to the current Development Plans adopted by Town Councils is that they will remain in place until they are replaced by a Plan for that Municipal District.

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Cllr. J. Finucane PROPOSED that members would consider the Draft County Development Plan chapter by chapter and as each chapter is concluded it would not be revisited.

Cllr. P. O'Donoghue SECONDED this proposal.

Cllr. D. Healy-Rae asked if the Wind Energy Policy and zonings are contained in the Draft County Development Plan. He was informed a few years ago that the existing Wind Energy Policy would be in place for a few years until the new County Development Plan was in place.

Mr. McMahon said that the Draft Plan states in determining planning applications planners must have regard to policies already adopted. This has not changed. The Minister intends to publish new Guidelines on Renewable Energy and in view of this it is not appropriate to review this Strategy now. Mr. McMahon accepted Cllr. Brassil's point if an issue arises in a subsequent Chapter which is in conflict with an earlier Chapter it would be acceptable that members would revisit that Chapter. He suggested that the first three Chapters should be dealt with that day and councillors not present at the meeting, will not be permitted to revisit them. Once consideration of the Draft Plan is concluded it will be amended to include amendments proposed by councillors. The Draft Plan must then be published within two weeks. It is anticipated that it will be published at the end of January. It will be on display for 10 weeks and a number of statutory bodies must be notified. Following public consultation officials will have 12 weeks from the closing date for receipt of submissions to prepare a report on submissions received. This report will be presented to members for consideration in either late June or early July 2014. He added that the next Draft of the Plan will be considered by the new Council following the Local Elections.

Cllr. A. McEllistrim referred to the Flood Risk Assessment and said in Tralee this would have a big impact and people were misled in the past.

In response Mr. McMahon said the Flood Risk Assessment is a very broad assessment. The centre of the town is ok but it informs the zoning process. If land is identified as being at risk of flooding while it might not be zoned for housing it could be zoned for other purposes.

The Mayor asked if members were in agreement on how to proceed with the Draft Plan.

Cllr. T. Ferris asked if the new County Development Plan would be adopted in June 2014.

In response Mr. McMahon said the review of the County Development Plan commenced in March 2013 and the new Plan will be adopted in February 2015.

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Cllr. T. Ferris pointed out that the new Council would only deal with the amendments following receipt of submissions. In considering the Draft Plan at this time members are tying the hands of the new Council.

Mr. McMahon said that he anticipated many of the current Council will be re-elected and will therefore be involved in the adoption of the new County Development Plan.

Cllr. Ferris asked if it was timed that the amendments would be considered by the new Council.

Mr. McMahon said that was not the case as the timeframe for the review of the County Development Plan is set out in legislation. We are now in the process of the review and cannot change the timing.

In response to Cllr. Ferris's query the Manager said he understood she was afraid the current Council would deal with the first set of amendments while the new Council would adopt the new Plan. This is not the case as the new Council will deal with the first set of amendments following public consultation.

Cllr. N. Foley said there is a statutory obligation on members to review the County Development Plan. She asked if there is a statutory obligation on the new Municipal Districts to produce a Plan also.

Mr. McMahon said on 1st June 2014 the Draft County Development Plan plus the three Town Plans will continue in operation until such time as new plans are adopted by Kerry County Council. He pointed out that the Tralee Town Plan remains in place until the new Plan is adopted for the Tralee Municipal District.

Mr. P. Stack then referred members to Chapter 2 in Volume 1 of the Draft County Development Plan which deals with the Core Strategy and commences on Page 10. He would deal with the Draft Plan Chapter by Chapter and he would divide some Chapters into sections. He then read some sections of this Chapter into the record of the meeting. Mr. Stack said the Core Strategy is informed by National Policy.

Chapter 2 Core Strategy

2.1 Introduction

"The overall strategy for the County provides a coherent, integrated statement of the policies and objectives that need to be implemented in order to achieve the vision of how the County is to develop in the future.

This vision was derived from the public consultation phase of the preparation of this Draft, the direction of the Elected Members and the experience and views expressed through the preparation of the Functional Area Local Area Plans throughout the County.

In the formulation of policies and objectives in this Plan, the Planning Authority has had regard to all National and Regional guidelines and policy documents issued by other Government Departments and State agencies. These policies are intended to facilitate development throughout the County and regulate it in accordance with the principles of proper planning and sustainable development.”

“2.1.1 National Context

National Development Plan 2007-2013 / National Spatial Strategy 2002-2020”

“2.1.2. Regional Context

South-West Regional Planning Guidelines 2010-2022

The Regional Planning Guidelines (RPGs) were developed on the basis of guidance provided through the National Spatial Strategy and a wide range of plans that exist at individual agency level throughout the region. The task of the guidelines is to provide a broad canvas to steer the sustainable growth and prosperity of the region and its people up to 2022.”

Mr Stack said there are five key elements of the Strategy which are informed by the Retail Planning Guidelines as follows:

“Key Elements of the Strategy include:-

- *Growth in the Hubs towns of Tralee and Killarney must be prioritised.*
- *Towns close to the Hubs should have organic employment-led growth, bolstered to a certain extent by commutes to the Gateways/Hubs. These towns should retain their own character and provide improved services and quality of life to people living within their catchments.*
- *Rural and peripheral areas should, at least, retain their current population levels. This goal shall be best achieved by making them more attractive places to live, by increasing service provision in towns and villages.*
- *A hierarchy of settlement types will be identified. Key roles will be assigned to these towns to help deliver the objectives of the guidelines.*
- *Promotion of the Tarbert / Ballylongford landbank as a strategic location for sustainable industrial / energy type development in the region.”*

Cllr. J. Finucane said Kerry has not benefited from the HUB status. There was one IDA visit to the county in the past 12 months. This concept is dated and he was concerned we are accepting the HUB but nothing will come of it. There is great economic growth in the Dublin region and perhaps in Cork but this is not extended to the remainder of the country. He would prefer to see a more generic approach and that this Council would involve itself in economic development in the future. He welcomed the inclusion of the Tarbert / Ballylongford landbank in the key elements of the Strategy and said members lobbied for this. Kerry must take a more independent stance in future.

Mr. Stack outlined the requirements as set out in the National Spatial Strategy. He then referred members to Page 12 and Section 2.1.4.

2.1.4 County Development Plan 2009-2015

The economic downturn has posed several challenges which are affecting the realization of the targets set in the 2009- 2015 Plan namely:-

- *Increased economic uncertainty and subsequent falling levels of investment*
- *Total stagnation of construction arising from an oversupply in the housing and commercial market*
- *Unemployment & Emigration*
- *Reduced Retail activity*
- *Increased rates of Commercial Vacancy*
- *Legacy of a number of Unfinished Housing and Commercial developments*
- *Deficiency in Public Finances.*

2.2 Strategic Planning Approach

The Planning and Development (Amendment) Act 2010 amends Section 10 of the Principal Act by introducing the requirement of a *“core strategy that shall show 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”*.

This Plan sets out an ‘evidence-based’ Core Strategy for the future development of the County. It sets the overall population targets and development strategy for the County for the period of the Plan. In this context, the population targets will form the basis for guiding the scale and location of new developments within the County up to 2021.”

Mr Stack informed the meeting the 14 strategic aims relating to the Core Strategy are set out on Page 13 of the Draft Plan and he added that achieving this vision for Kerry also requires a number of supporting elements which are briefly addressed.

2.2.2 Sustainable Communities

Sustainable Communities are defined as ‘places where people want to live and work, now and in the future.

2.2.3 Economic Development

The Hub Towns of Tralee and Killarney will be promoted as anchors for regional growth. These towns are located in a growth corridor which provides locational advantages in terms of access to strategic rail and road networks and to Kerry International Airport.

2.2.4 Infrastructure and Services

The provisions of infrastructure and supporting services for development, particularly water and waste water services, is critical. Kerry County Council will direct growth towards settlements and centres where capacity is available and will strive in consultation with Irish Water to seek the expansion of services necessary to support the development strategy in this Plan, in accordance with the sustainable management of water resources.

2.2.5 Heritage

It is the intention of this Development Plan to actively support the protection, conservation and appropriate enhancement of the cultural heritage in Kerry to benefit residents and visitors alike and to target cultural tourism as a major economic driver in the County.

2.2.6 Sustainable Development and Climate Change

If unmanaged, climate change will have dramatic adverse effects on peoples’ lives, the environment and the prospects for growth and development.

The 2012 National Climate Change Adaptation Framework, Building Resilience to Climate Change notes that climate change impacts will often be most evident at local level. Planning and development control will therefore play a crucial role and there needs to be locally tailored policies and responses to climate change through mitigation and adaptation

In this regard, the landscape of the County can assist in reducing greenhouse gas emissions.

2.2.7 Sustainable Development and Flood Risk Assessment

Flood risk is a key consideration in preparing development and local area plans and in the assessment of planning applications. A Strategic Flood Risk Assessment of this Plan has also been carried out and is included in Volume 4.

Mr. Stack informed members that the 11 Core Strategic Objectives are set out on Page 16. He then referred members to the middle of Page 17 where details of Growth Consistency with the National Spatial Strategy and the Regional Planning Guidelines are set out. He read the following into the record of the meeting:

2.3 Growth Consistency with the National Spatial Strategy and the Regional Planning Guidelines

Having identified Tralee and Killarney as Hub Towns in 2002, the NSS emphasises the role of balanced development at local level, which must be achieved through the strengthening of the urban settlement structure in parallel with ensuring that the resources of rural areas are developed to offer a viable future to rural dwellers.

In accordance with these principles, the Core Strategy defines a spatial development framework for County Kerry which prioritises growth in the Hub Towns of Tralee and Killarney and consolidation of other key towns, while seeking to support rural areas mainly by strengthening the smaller towns and villages throughout the County.

Mr. Stack referred members to Map 2.1 on Page 18 and said this is the Core Strategy Map from the Regional Planning Guidelines.

2.3.1 Municipal Areas/Districts

The Electoral Area Boundary Committee Report 2013 has reconfigured the County into four municipal districts, for electoral and local government purposes. The four new areas are:- **(A)** Tralee **(B)** Killarney **(C)** Listowel and **(D)** South and West Kerry - as set out in **Map 2.2**. With the proposed abolition of the Town Councils in Tralee, Killarney and Listowel, the responsibility of land use planning in the towns will transfer to Kerry County Council. The Tralee Killarney Linked Hub as set out in the Southwest RPGs is outlined in red on Map 2.2 and overlaps the four Municipal Districts.

It is important to identify functionality within the Municipal areas and the complementary roles of the settlements, throughout the County, in order to meet the needs of local communities and to identify areas where consolidation and strengthening of services is required. Accordingly, it is the intention of the Council to prepare Local Area Plans for each of the Municipal areas during the lifetime of the Plan.

Objective No.	Municipal Areas / Districts
	<i>It is an objective of the Council to:-</i>
CS-1	Prepare Local Area Plans for each of the Municipal areas during the lifetime of the Plan.
CS-2	Prepare a Strategic Economic Plan for the County during the lifetime of the Plan.
CS-3	Prepare a 5 year Local Community Development Plan in conjunction with the proposed Local Community Development Committee.

Mr. Stack then referred members to Pages 21 and 22 for an analysis of the population of the county. These 2 pages are critical going forward. He then read them into the record of the meeting:

2.3.2 Population Projections & Spatial Distribution

The CSO 2011 indicated that the population of County Kerry was 145,502, which was an increase of 3.7% on the 2006 population of 139,835. This percentage increase was amongst the lowest in the State, which showed an overall increase of 8.1% (national average) over the same period. This increase is dispersed across the County with 66% of the 166 Electoral Divisions (EDs) experiencing population growth, while the remainder experienced a decline. The more peripheral areas to the west and south west of the County experienced declines while the DEDs in central Kerry adjacent to the Hub towns experienced growth.

The key message of the National Spatial Strategy and Regional Planning Guidelines is that critical mass, in cities and large towns, is essential to facilitate balanced regional development. By building up populations in the Tralee/Killarney Linked Hub and other towns, services such as public transport, water services infrastructure and amenity can be enhanced. This will contribute to creating attractive settlements which in turn will attract investment and people.

The Census of Population 2011 indicates that the population of the Linked Hub and towns is increasing in size which is a positive step for building critical mass in the large towns. However, significant population increases have continued in the rural areas classified as *Rural Areas under Strong Urban Influence*, while the centre of the Linked Hub towns experienced population loss. In addition, more than 1 in 4 houses in the County (including holiday and second homes) were highlighted as vacant on census night.

Continuation of this pattern of population distribution and vacancy levels is unsustainable in terms of infrastructure provision, water quality and transport cost. In order to address these unsustainable trends, the Settlement Hierarchy as set out in the CDP 2009-15 has been modified in this Plan.

2.3.3 Future Population Growth

The population projections for County Kerry are detailed in **Table 2.1** below. The Census 2011 returns are used to inform population and growth predictions for the Plan. The 2015 population figure is based on a 0.8% p/a increase from 2011 as per the DoECLG.

Using the growth rate of 0.88% p/a as per the DoECLG and in accordance with the South West RPGs, the projected 2021 figures have been extrapolated. The population of the County is projected to increase by 8,108 during the life of the Plan.

	2011 Census	2015 Estimate	2021 Target	Total Growth 2015-21
Population	145,502	150,214	158,322	8,108

Table 2.1 Population & Target 2011-2021

The South West RPGs allocates 77% of the total population growth to the Linked Hub area with 4750 persons allocated specifically to the Hub towns. **Table 2.2** below indicates the allocation of population to the various planning areas in accordance with the boundaries set out in the South West RPGs.

	Population Allocation
Total County Growth	8108
Total Linked Hub (including rural)	6243
Tralee Killarney Hub Towns	4750
Northern Area	972
Western Area	893

Table 2.2 Population Growth 2015-2021

2.3.4 Population Distribution

The population growth of 8,108 is allocated to the four Municipal areas of Tralee, Killarney, Listowel and South/West Kerry. In line with the South West RPGs there is an emphasis on the growth of the Tralee Killarney Hub. The population growth allocation for the Tralee-Killarney Hub towns is in line with the South West RPGs with 4,750 being allocated to the two towns on a percentage of existing population basis roughly 60: 40 ratio split.

The remaining population growth of **3,358** is allocated to each Municipal Area based on the percentage population that each area has relative to the overall population of the County. The allocation to each area is as follows.

Municipal Area	Existing Population 2011	Population Growth
Tralee	39782	3,471
Killarney	38040	2,525
Listowel	28807	899
South/West	38873	1,213
Total Population Growth	145,502	8,108

Table 2.3 Growth Allocation 2015-2021

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Mr. Stack said that concluded Chapter 2 and he invited contributions from members.

Cllr. J. Brassil said in general he agreed with Chapter 2 but said it impacts on Chapter 3 which is the core of the County Development Plan. Some lands are presently zoned for development which are at risk of flooding and as the Local Area Plans are reviewed these should be de-zoned as there is adequate land zoned for development already. In the Draft Plan regional towns, district towns and villages are listed and he asked what the difference is. Ardfert, Farranfore, Ballyheigue etc are listed as District towns yet Ballyduff is listed as a village.

Cllr. M. Gleeson agreed with Cllr. Brassil that we must ensure flood plains are not impacted on by development. He has seen the damage this can cause. On the farm where he grew up his ancestors had the sense to build a house where it would not be flooded. If a river is interfered with it will have an adverse impact. The population figures set out in the Draft Plan will form the basis for new development in the County up to 2022. The proposed increase in population of 8108 is unrealistic and he believed it would be significantly less unless there is a dramatic increase in development in the County. Unless we take control the County is falling into an abyss. The designation of Tralee/Killarney as a Hub has had no impact on the economic life of the County. If progress is to be made we must prioritise development and promote it from within the County. He walked Killarney National Park in the past few days where the roads are unravelling. He spoke with the Manager of the Park who informed him they received a pittance to improve and maintain the roads in 2013. He emphasised the need to ensure funding is provided to maintain these roads for our tourism industry.

Cllr. J. Finucane said we should obliterate the Hub Strategy from the County Development Plan. There was very little job creation in the County in the past few years with the exception of the extension to the Liebherr Factory in Killarney and one or two others. The greater growth is in the Dublin region. The Kerry County Enterprise Board has been more proactive in creating jobs than any outside agency. He asked that Fenit Harbour would be promoted. In the UK the government considered not funding cities that are not progressing e.g. Hull. Ireland has a tendency to copy what is done in England and that would be to the detriment of Kerry. If the Government decides to proceed with the Metro in Dublin the rest of the country will be bereft of funding. In conclusion he said he did not have faith in national bodies whose role it is to attract industry and he called for a strong statement that this local authority will develop a strategy to attract industry into the County and he was not referring to the HUB Strategy.

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Cllr. D. Healy-Rae said we are doing very badly in creating employment and many of our young people are emigrating. If you take a line from Ballylongford to Caherciveen no employment is being created. The HUB Plan was a great idea but it has not delivered. He expressed disappointment that Kerry Group recently announced a new facility in County Meath and not in Kerry. There is a huge need for employment in Kerry. All services are being centralised and this is also a cause for concern. He referred to the reference to climate control in the Draft Plan and said that we can do nothing about it. The Regional Planning Guidelines refer to different areas in his electoral area which it states are not suitable for development. In Gortacoosh there were once 16 families but this number has dwindled. A number of people are willing to come to the area to build a house but because of the restrictions imposed on these areas they were not permitted to do so. In conclusion Cllr. Healy-Rae said he would not support the addition of new areas to Views and Prospects.

Cllr. B. Cronin said there has been no additional employment created in the HUB. There is a major opportunity for development in Farranfore where there is an Airport and a Train Station but no major employer has set up there. The reason for this he believes is a lack of proper access to the County both from Cork and Limerick. This is a huge obstacle for Kerry. He agreed that the HUB strategy has not delivered and he asked if the area under urban pressure has been enlarged. He asked would it be more appropriate to remove the HUB completely from the Draft Plan.

Cllr. S. Counihan agreed with the views expressed by previous speakers in relation to the HUB and said it should be deleted. Kerry has lost in excess of 3,000 industrial jobs over the past 10 years. He believed unless we focus on our education system we will not attract industry or development to the County. Companies such as Alps like to locate in rural areas as they believe there is an educated work force available. However even if we could attract industry to Kerry the workforce is not available. He brought a number of potential developers to Killarney and they asked how many people between the ages of 18 to 35 were available to do the work. He was at a loss to confirm that the workforce was available. It is critical that Tralee IT and Cork IT secure Munster Technological University status.

The meeting adjourned for lunch at 1.45 pm.

The meeting resumed at 2.30 pm.

In the absence of the Mayor on the PROPOSAL of Cllr. D. Healy Rae, **SECONDED** by Cllr. J. Healy Rae it was unanimously agreed that Cllr. T. Buckley would take the Chair.

Cllr. Buckley then took the Chair.

Mr. M. McMahon agreed with some of the sentiments expressed by members in relation to the HUB. He pointed out, however, that the National Spatial Strategy is still the primary document but said he understands the Government intends to review it in the next 12 months. As of now the existing National Spatial Strategy governs spatial planning and we must have regard to it. Tralee and Killarney are our two principal towns and the principal economic drivers. We have used that status at times to secure funding. He believed if Castleisland and Tralee were not in the HUB we would not have secured funding for the By-Passes in both towns or indeed for the Bracker O'Regan road. The issue of economic development and employment is dealt with in Chapter 4. There will be a focus on trying to generate employment within the County and facilitating indigenous industry. He accepted comments made by members on flood risk areas and said in the most recent Local Area Plans land was not zoned where there is a flood risk.

Cllr. M. Gleeson asked if land prone to flooding is zoned can it now be de-zoned.

In response Mr. McMahon said when the Local Area Plans are being reviewed this issue would be dealt with. If a planning application is received in any of these areas they will be required to submit a Flood Risk Assessment.

Cllr. J.J. Culloty asked who is responsible for the National Spatial Strategy.

Mr. McMahon said that this is a Government document. When the previous County Development Plan was being considered there was a long debate on what constituted a HUB and it was suggested that it should be extended to Listowel. However this was not included in the final plan. The new National Spatial Strategy will be subject to public consultation.

Chapter 3 Settlement Strategy

Mr. Stack then referred members to Chapter 3 on the Settlement Strategy which is on Pages 23 to 52 inclusive. He read the following into the record of the meeting:

“This Chapter will identify the different Service Centres throughout the County, their areas of influence and their strategic roles for the future. This will assist in ensuring that a network of viable service centres is maintained throughout the County. The Settlement Strategy will inform population growth allocation and infrastructural investment decisions in establishing and maintaining this network.

The Plan recognises that there are 3 different categories of settlements throughout the County from the large Hub towns to small villages. All have complementary roles to play in the future growth and prosperity of the County. In recognition of this, a Settlement Hierarchy for the County is developed consisting of the Hub towns, Regional/District Towns, Villages, small Villages/development nodes.

Mr. Stack said there are five strategic aims outlined on Page 23.

A strong network of settlements is important for sustaining healthy population levels and enhancing quality of life. The functional relationships between the different types of settlements also need to be clearly understood. Urban Sprawl on the edge and environs of the Hub towns (and on the edges of settlements) should be discouraged and a clear character distinction between built-up areas and the open countryside should be maintained.

The towns and other main areas will play an important role in delivering jobs and services to the rural areas around them.

Settlements can be planned to encourage public transport provision. The settlement structure of County Kerry is highly dependent on car use as a consequence of its highly dispersed nature. This is likely to continue to be the case even though a high level of dependence is undesirable on social, environmental and economic grounds. However, significant change, leading to an increase in public transport, can be achieved by adopting a 'plan-led' approach. The settlement strategy as a whole proposes the concentration of new residential development in designated settlements instead of a continuation of a general dispersal of growth. The Settlement Hierarchy takes into account the census of Population 2011 and those settlements that have available capacity in the wastewater treatment units, or, are on a priority list for wastewater treatment units and other environmental considerations.

The Settlement Hierarchy for County Kerry is outlined in **Table 3.1** below. This hierarchy is consistent with that set out in the south west RPGs and provides a brief summary of the role of the towns in each level of the hierarchy.

Hierarchy	Settlement	Function
Hub Towns	Tralee, Killarney (2)	Key destination, economically active supporting surrounding area, located on multi-modal transportation corridor.
Regional Towns	Cahersiveen, Castleisland, Dingle, Killorglin, Kenmare, Listowel (6)	Smaller in scale than Hub towns but strong active growth towns and economically vibrant.
District Towns	Ardfert, Ballybunion, Ballyheige, Ballylongford, Barraduff, Castlemaine, Farranfore, Firies, Kilcummin, Milltown, Rathmore, Sneem, Tarbert, Waterville (14)	Towns that serve rural hinterland as service centre and market towns.
Villages	Abbeydorney, Annascaul, Ballyduff, Beaufort, Causeway Castlegregory, Ballyferriter, Brosna, Currow, Ceann Trá, Duagh, Fenit, Fossa, Glenbeigh, Gneeveguilla, Kilflynn, Lixnaw, Kilgarvan, Knocknagoshel, Scartaglin, Knightstown , Moyvane, Portmagee (23)	Serve smaller rural catchments; provide local services with some smaller scale rural enterprises in a number of such villages.
Small Villages	An Mhuirioch, Aughaclasla, Baile na nGall, Brandon, Boolteens, Camp, Caherdaniel, Cloghane, Dún Géagain, Castlecove, Chapelstown, Cordal ,Currow, Knockanure (14)	Same as Villages
Development Nodes	Remaining Settlements	Settlement Nodes serving the rural communities.

Table 3.1 Settlement Hierarchy

Mr. Stack informed members there are 59 settlements in total but due to the availability of water/wastewater facilities in 22 of them development will be focused in these areas. The key element of the Core Strategy and Settlement Strategy is to continue to focus growth into the Hub and towns and to relate growth of the smaller towns and villages to the availability of infrastructure such as water and waste water.

It is recognised that rural areas play an essential role in this settlement structure by developing sustainable development nodes within rural communities.

The provision of infrastructural services etc. in these areas, will be considered in accordance with the proper planning and sustainable development of the area.

The overall aim for development nodes in rural areas is to ensure that they retain their rural service centre function and develop sustainably as attractive locations for residents and visitors and that any future development preserves their existing character.

The aims of the Settlement Hierarchy are to:-

General

- Ensure the sustainable development of the Linked Hub and Key Towns in the County.
- Manage development outside these towns in a way that ensures the viability of rural communities while ensuring environmental protection through the implementation of the objectives and Development Guidance document of this Plan.

Linked-Hub of Tralee-Killarney

- Support the sustainable development of the Linked Hub of Tralee-Killarney in order to meet the population target by 2021.
- Ensure that the towns are centres of sustainable economic growth to attract and support a wide range of services and amenities and deliver a high quality of life.

Regional Towns

- Promote and facilitate the growth and sustainable development of the towns towards achieving their population targets.
- Facilitate the provision of an appropriate and sustainable range of social and physical infrastructure, facilities and services, including retail and commercial and enterprise development to serve the inhabitants of the towns and their rural hinterlands.

District Towns

- Support the sustainable development and growth of the towns to the population targets set out below.

Villages, Nodes & Rural Areas

Support the sustainable development of the countryside and rural villages in the County.

3.1.1 Population Distribution

The population growth targets are allocated to the County's four Municipal Areas as set out below in Tables 3.2-3.5. It is recognised that population growth is usually employment led and is reliant on the availability of services and infrastructure. Consequently, the spatial distribution of population growth is supported by development policies related to employment, housing, retail, environment and the level of social and physical infrastructure as set out in the relevant chapters of this development plan.

The distribution of the population targets to each Municipal area is outlined in Table 2.4, Chapter 2 - Core Strategy. Within each Municipal area a *minimum* of 60% of the targeted projected population growth will occur within the main towns. The remaining 40% is distributed to smaller settlements and rural areas. This will secure the development of vibrant towns and villages capable of servicing rural communities and will accommodate locally generated demand for housing in rural areas. In distributing population growth outside the district town there will be an emphasis on sustainable development in smaller settlements.

The population growth is allocated to each settlement based on the percentage population that each settlement has relative to the overall population of that area.

TRALEE Municipal Area	Census Pop	Growth Target
Tralee	20814	2969
Ardfert	800	181
Fenit	527	120
Total Pop. of Settlements		3270
Remainder of area		201
Area Total		3471

Table 3.2 Population Allocation Tralee Municipal Area

Mr. Stack then explained the calculation of the population allocation for South and West Kerry as an example to members. The projected population growth for this area is 1,213. 60% or 728 is allocated to the main towns with 40% or 485 for the remaining areas. The population of Kenmare accounts for 24% of the total population of this area and therefore 24% of the projected growth target is allocated to Kenmare. These figures are set out in the Table at the end of Page 28 as follows:

SOUTH AND WEST KERRY Municipal Area	Census Pop	Growth Target
Kenmare	2175	173
Killorglin	2082	166
Dingle	1965	157
Cahersiveen	1168	93
Milltown	838	67
Waterville	465	37
Sneem	258	21
Castlemaine	187	15
Total Pop. of Settlements	9138	728
Remainder of area		485
Area Total		1213

Mr. Stack referred members to Page 29 for details on the Zoning of Land for Residential Development and he read the following:

3.1.2 The Zoning of Land for Residential Development

Kerry County Council has zoned land for residential purposes in each of the following Functional Area Local Area Plans:-

- Castleisland FALAP2009-15
- Kenmare FALAP2010-16
- Killorglin FALAP 2011-2017
- Dingle FALAP 2012-2018
- Cahersiveen, Sneem & Waterville FALAP 2013-19
- Listowel/Ballybunion FALAP 2013-2019
- Tralee/Killarney Hub FALAP 2013-2019

These will be replaced by local area areas for the four Municipal Districts during the lifetime of the plan.

The amount of land to be zoned within municipal areas will reflect the targeted population growth within the area over the lifetime of the plan (2015-2021). It is important that zoning is carried out in a logical and informed manner which will provide for the long-term sustainable development of the settlements and of the County as a whole. The following criteria will be used in deciding the extent and location of proposed zonings in the County.

➤ Need and Policy Context

- Ensure that the amount of land zoned for development does not exceed the calculated requirements of the Core Strategy for the County or the targets set out in the South West Regional Planning Guidelines 2010-2022.

- Focus the supply of zoned land only in the main settlements of the Municipal/Functional Areas both where the infrastructure is available, and where it can be accommodated in a more balanced and cost effective manner.

➤ ***Sequential Approach***

- Ensure that land use zonings promote the sustainable development of compact, liveable, pedestrian/cyclist-friendly settlements, with a defined and healthy commercial/retail core.
- Ensure that zonings extend outwards from the centre of an urban area (i.e. 'leapfrogging' to more remote areas should be avoided).
- Ensure that residential zoned areas are contiguous to existing zoned development lands.

➤ ***Capacity of Water, Drainage and Roads Infrastructure***

- Ensure that the zoning of land is dependent on the availability of sustainable water, drainage and roads infrastructure.

➤ ***Supporting Infrastructure and Facilities***

- Ensure that consideration is given to the future availability of or the capacity to provide, supporting infrastructure.

➤ ***Physical Suitability***

- Ensure that the form and location of land zonings offers the best "value for money" in terms of efficient use of existing infrastructure, while minimising the need for costly new infrastructure.
- Ensure that the Flood Risk Management considerations and assessment requirements are complied with.

➤ ***Environmental and Heritage Policy, including Conservation of Habitats and other sensitive areas***

- Ensure that River Basin Management Plans, Groundwater Vulnerability Maps and potential impacts on landscapes, built and natural heritage sites (including Natura 2000 sites) are taken into consideration when zoning lands.

3.1.3 Housing Land Requirement

The quantum of residential land required over the period of this development plan is calculated using population targets, household sizes and the proposed density of development.

The population growth target for the entire County for the period 2015-2021 is 8,108. The average household size is predicted to be 2.6 persons per unit. The proposed density, in accordance with the regional guidelines, is 12 units per hectare and 21 units per hectare in the towns of Tralee, Killarney and Listowel. In accordance with the Development Plans Guidelines for Planning Authorities (DoEHLG 2007) additional headroom of 50% is included in the land requirements to allow for the provision of competition, the avoidance of market monopoly and the non availability of zoned lands.

Table 3.6 below sets out the total land requirements and housing units required between 2015 and 2021, taking into account the population targets, household size, and density. The total number of residential units required to meet housing requirements, resulting from population growth for the County is 3,118 units and the corresponding residential zoned land requirement of 235.75 hectares.

When calculating the amount of proposed zoned residential lands in the Local Area Plans the number of existing vacant dwellings in unfinished estates in each settlement will be taken into consideration as it is the policy of Kerry County Council to seek the completion of these estates.

Mr. Stack then invited comments from members.

Cllr. J. Brassil emphasised the need to maximise the use of existing structures. The figures are not set in stone and if an area is under great pressure this can be addressed. He then referred to Objective HS-14 on Page 37 which states "Monitor the number of vacant residential units throughout the County to inform policy making and match supply to demand" and said he fully supported this objective. It is important to fill existing estates before new estates are built. If this message gets out to those in need of housing they will direct themselves towards these estates. If developers are allowed build new estates the remaining houses in existing estates will be left there.

Cllr. A. McEllistrim said Fenit is in the Villages category yet there are plans to provide a new sewerage treatment facility there. For this reason she thought it should be in the District Towns category.

Cllr. M. Gleeson said Kerry has 80 unfinished estates and he asked if they are likely to be completed.

Cllr. B. Cronin expressed concern that people who own a site in the country will be told they must get housing in a nearby village. He urged caution and asked that this phrase would not be included. He wanted to ensure this would not be used as a reason to refuse permission on their site.

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Cllr. T. Ferris said there is mention in the Draft Plan of population increase and also of maintaining rural areas. She asked if this refers to town/villages only and what about rural areas.

Cllr. J. Healy-Rae said 1 rule will not fit all. He asked why were areas such as Dromid, Glencar etc. not named as development nodes as they have Community Councils, Community Centres etc. He referred to the 80 unfinished estates in Kerry and asked what action the Council will take to pursue the completion of these estates. Planning in rural areas is different to the HUB/Regional towns. He asked that the criteria for getting permission in rural areas would be specified.

Cllr. S. Counihan said he would like to see provision made to ensure young people get permission to build houses on their own land. Young people find it very difficult to get a mortgage. It is important to ensure that speculators are not allowed drive up the cost of land. A landowner who wants to sell a site should be allowed to apply for permission and this could regulate the price of land. People who want to build family homes should be facilitated.

Cllr. M. O'Shea referred to Section 3.1.3 Housing Land Requirement and Section 3.2.5 Housing Stock and Capacity/Vacancy. He said a developer should be curtailed in relation to new house construction before new estates/houses can be built. If just 6 or 7 houses remain in an estate and people know a new estate will be build they will wait for the new estate. He added that competition is important.

Cllr. J.J. Culloty agreed that people should be encouraged to buy houses in estates but said this should not be used against people who own a site. He added that some estates maybe knocked in time. He did not want to see this being used to prevent people from living in rural areas and said rural housing is smaller and more sustainable now and does not cause pollution.

Cllr. R. Beasley referred to the 80 unfinished estates in Kerry and asked if the details on these estates were furnished to the Council. He asked that this information would be furnished to councillors before next Monday. He expressed concern at the population targets outlined in the Draft Plan as there is a decline in population along the coast and he could not see how the population would increase. Cllr. Beasley added that there is ongoing emigration from these areas.

Mr. McMahon referred to the unfinished housing estates and said members have been very supportive of the Housing Estates Unit by providing funding in the Budget. They are doing excellent work in liaising with developers with a view to getting estates completed. There were 2 national studies of unfinished estates and the first one identified 114 unfinished estates in Kerry. A report was presented to the Planning SPC which indicated that approx. 25% of these have been successfully completed. That figure continues to increase. This is a tortuously slow process and a number of initiatives were announced at a

national level and we are awaiting the detail. Planning authorities were asked to identify estates where there was no hope they would be completed/occupied where the only solution was to demolish them. The Department announced an allocation of €10m for 2014 to demolish 40 estates. We have a few candidate estates especially where the development has not past site clearance. However we do not know if they are included in that list of 40 estates. There are many parties involved in these estates – the owner, developer, receiver etc. In conclusion Mr. McMahon said we are awaiting details of the estates to be completed and those to be demolished.

Mr. Stack referred to the query on making provision for rural areas and referred members to Table 3.6 on Page 31 where details of the provision for rural areas is set out. The projected population increase for rural areas is 1,344 or 17% of the total population and this equates to 517 houses.

Cllr. T. Ferris said this appears to be very low.

Mr. Stack again referred members to Table 3.6 and said included in that is provision for 517 houses in rural areas and this excludes the towns and villages.

Cllr. Ferris asked if this includes renovated buildings.

Mr. Stack said it did not. Zonings will be included in the Municipal District Plans. The Draft Plan is bringing attention to this issue and every effort will be made to get as many housing estates as possible completed. This issue will be addressed in the Municipal District Plans over the next few years. Mr. Stack agreed with Cllr. O'Shea that it is good to have competition.

Cllr. J.J. Culloty asked if the houses in unfinished estates are included in the numbers in Table 3.6.

Mr. McMahon confirmed they are. He added that in many cases up to 90% of estates are complete. The survey carried out in connection with the exemption from the Household Charge reflected that a number of estates were completed.

Cllr. S. Counihan suggested that an application should be submitted for a share of the €10m allocated for unfinished estates. He understood there is legislation going through the Houses of the Oireachtas in relation to changes regarding Part V and when this is signed into law he presumed the Draft County Development Plan can be amended to incorporate these changes. He asked how these changes will impact on Kerry County Council.

Mr. McMahon said the Plan must reflect government policy.

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Cllr. J. Brassil said this section deals with housing in towns and villages and the next section deals with rural areas. He agreed with the view expressed by Cllr. Cronin that this should not be used as a reason to refuse permission for applicants who have a site in a rural area.

Cllr. G. Wharton Slattery said in relation to the €10m allocation for unfinished estates we do not know if any estates in Kerry will qualify for this funding.

Mr. McMahon pointed out there are two €10m allocations. One is to complete unfinished estates and the second to demolish unfinished estates.

Cllr. T. Ferris asked by specifying numbers does it mean we cannot exceed them in rural areas.

Mr. Stack said the figures are indicative.

Cllr. Ferris said these can be targets and it would better to deal with this in the Local Area Plans.

Cllr. McEllistrim again asked if it is intended to provide a wastewater treatment facility in Fenit why was it not included with the District Towns.

Mr. McMahon said the wastewater treatment facility may not be provided in the lifetime of the Plan.

Cllr. M. Gleeson asked if the dezoning agreed in the Local Area Plans in recent years will take precedence in the Municipal District Plans.

Mr. McMahon said it would not.

Cllr. J. Healy-Rae referred to unfinished housing estates and asked if Bonds are being called in and paid.

Mr. McMahon said in some instances they are trying to draw down the Bond but not in all cases. The Bank of Scotland is the easiest Bank to deal with but it is difficult to get some institutions to co-operate. When a Bond is drawn down the Roads Department manage it.

Cllr. J. Healy-Rae asked if there is any prospect of a test case with the Banks.

Mr. McMahon confirmed the County Solicitor is considering this.

Mr. Stack then referred members to Section 3.2 Housing on Page 32 and he read the following into the record of the meeting.

3.2. Housing

This Chapter sets out the policies and objectives for the provision of housing in the County and the creation of sustainable communities. The Housing Strategy included in Volume 2 Appendix 3 is underpinned by all national policies and legislation and is applicable for the same timeframe as the Development Plan. It is in accordance with the core strategy and the settlement strategy set out in the Development Plan.

The overall aim of Housing Policy is to enable every household to have available an affordable dwelling of good design, suited to their needs, in a quality environment and, as far as practicable, at the tenure of their choice. This also refers to households with specific needs, e.g. older people or those who have a disability, either physical or intellectual. The Housing Strategy acknowledges the need to meet the housing requirements of those who are homeless and to provide suitable accommodation for Travellers who are indigenous to the area.

Mr. Stack said it is a policy of Kerry County Council to:

- Encourage and foster the creation of attractive mixed use sustainable communities which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities.
- Require a high standard of design in all new residential schemes that are built in a style and scale that is appropriate to the landscape setting.
- Integrate new housing into the existing social and urban fabric of the County's settlements detailed in the settlement hierarchy.
- Promote rainwater harvesting and energy efficiency both during the construction phase and during the lifetime of residential development by sensitive design and layout taking into account topography, orientation and surrounding features.
- Recognise the need for people with special needs to enjoy a decent living environment in the County and to support local communities, health authorities and other agencies involved in the provision of facilities to people with special needs including supporting the voluntary sector in the development of housing for people with special needs.
- Support the concept of independent living for older people and people with disabilities and ensure where possible that housing for such groups is integrated with mainstream housing in their existing communities. Such housing shall generally be located close to existing or proposed community and convenience retail facilities, where possible.

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- Pay special attention to the needs of older people on low incomes in substandard, privately rented accommodation when planning and allocating accommodation for older people.
- Provide appropriate accommodation for Travellers.
- Support proposals for day/resource centres for people with special needs within, or close to towns, villages and neighbourhood centres, subject to normal planning requirements.
- Ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner, and has regard to the Department of Environment, Community and Local Government 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities (2007).
- Support a sequential approach to residential development in which the first choice location for new housing is within the built up area of towns and villages maximising under-utilised and brownfield lands within and adjoining town and village centres in the first instance and thereafter moving sequentially outwards.
- Facilitate consultation with approved Voluntary and Co-operative Housing Associations on an ongoing basis in order to identify and agree opportunities for their participation in the provision of all social housing delivery options.

Mr. Stack pointed out that a number of general objectives in relation to Housing are set out in Page 34.

3.2.2 Accommodation for Travellers

Kerry County Council acknowledges that the travelling community is a separate ethnic minority in Ireland. There are approximately 247 Traveller families living in County Kerry. The requirements on Kerry County Council under the Housing (Traveller Accommodation) Act 1998 ensure that significant steps will be taken to provide appropriate accommodation for Travellers within the County.

Objective No.	Housing
	<i>It is an objective of the Council to:-</i>
HS-10	Implement the Traveller Accommodation Programme 2014-18 in order to provide appropriate accommodation for the Travelling Community.

3.2.3 Accommodation for the Elderly

Dwellings and other residential facilities catering specifically for older people should be located in close proximity to convenience shops, community facilities and public transport nodes.

Objective No.	Housing
	<i>It is an objective of the Council to:-</i>
HS-11	Provide and facilitate the provision of suitable accommodation in appropriate locations to meet the needs of the elderly and to encourage the provision of a range of sustainable housing options for elderly persons in central, convenient and easily accessible locations and to integrate such housing with mainstream housing where possible.
HS-12	Ensure that granny/family flats are integral to the existing dwelling house, capable of being reintegrated to the main house, and subordinate to the main dwelling house.

3.2.4 Accommodation for People with Disabilities

Objective No.	Housing
	<i>It is an objective of the Council to:-</i>
HS-13	Provide and facilitate the provision of accommodation to meet the needs of those with disabilities through the provision and/or adaptation of suitable accommodation at appropriate locations.

3.2.5 Housing Stock and Capacity/Vacancy

The 2011 census recorded 26.4% of houses were vacant on census night, which would account for 19,932 dwellings. The location of the vacant units within the County requires identification and monitoring to plan and manage the supply of housing to match need. It is evident from analysis undertaken that there is a widespread distribution of vacant properties in both the urban centres and across rural County Kerry. A flexible approach to the reuse of such buildings will be considered. Potential uses such as community facilities, educational, craft or commercial uses could be considered subject to development management standards being met.

A	Occupied by usual resident(s) of the household	53,088
B	Occupied by visitors only (Number)	665
C	Unoccupied - residents temporarily absent	1,275
D	Unoccupied - vacant house	9,860
E	Unoccupied - vacant flat	1,657
F	Unoccupied - vacant holiday home	8,202
G	Total housing stock (A+B+C+D+E+F)	74,747
	Vacancy rate (D+E+F) / G (%)	26.4

Figure 3.1 Occupancy & Vacancy (CSO 2011)

The Mayor then returned to the meeting and took the Chair.

Mr. Stack referred members to Page 37 where the following Objectives are set out.

Objective No.	Housing
	<i>It is an objective of the Council to:-</i>
HS-14	Monitor the number of vacant residential units throughout the County to inform policy making and match supply to demand.
HS-15	Ensure that housing developments are completed to a standard that is in accordance with the Council's Taking in Charge Policy for Private housing Developments, through the planning enforcement process, collection of bonds and development contributions.

Mr. Stack then invited comments from members.

Cllr. M. Gleeson referred to the 247 Traveller families and asked are they in need of housing.

Mr. J. Breen said that is the total number of traveller families in the county and many of them are already accommodated.

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Cllr. M. Gleeson said there should be a more equitable distribution of traveller families around the county. This should be pursued actively. He said one of the great successes is the development of smaller housing estates for the elderly. He added there should be such a development adjacent to St. Columbanus Home. The demographic of the population of the county shows that this category is growing and there is huge demand for this type of housing.

Cllr. T. Ferris referred to Housing Objective HS- 5 which reads “Promote integration of social housing and ensure a housing mix within developments in order to promote a socially balanced and inclusive society” and she asked how this will be achieved. The focus is now on Long Term Letting and when social housing clients move into a private estate others move out. She asked if there is any strategy to deal with this. Cllr. Ferris asked how the Council will purchase houses for social housing in estates. She also referred to Objective HS- 6 which reads “Provide adequate levels of social and affordable housing to ensure all sectors of society have access to housing (including a range of accommodation types for members of the travelling community, the homeless, people with disabilities and ethnic minority groups)” and she asked how this will be delivered. She queried the figures regarding the number of vacant houses and she asked are they all fit for human habitation.

Cllr. N. Foley referred to Objective HS- 4 which reads “Have regard to and promote increased residential densities in the towns and other appropriate locations in accordance with the ‘Sustainable Residential Development in Urban Areas’ Guidelines 2009 (DoEHLG)” and asked why it refers to towns only and not villages which are under threat.

Cllr. G. Wharton Slattery asked how Objectives HS-5 & HS-6 will be achieved.

Cllr. S. Counihan expressed amazement at the number of residents temporarily absent and he asked how many of these properties belong to Kerry County Council. Excluding holiday homes this is a phenomenal figure. He added that it is virtually impossible to get a house to rent in Killarney. He requested a breakdown of vacant houses in the county.

Cllr. B. Cronin referred to Section 3.2.5 Housing Stock and Capacity/Vacancy and he welcomed the flexible approach to reuse. He expressed concern at the wording in Objective HS-14 which reads “Monitor the number of vacant residential units throughout the County to inform policy making and match supply to demand”.

Mr. Stack informed Cllr. Cronin he could change that wording.

Cllr. Cronin requested that the words “match supply to demand” be removed from this objective.

Mr. Stack referred to the query regarding Objective HS-4 and why smaller villages are not included and said this is because they do not have the infrastructure and major developments should not be permitted there. It is important to maintain their character.

Mr. J. Breen informed the meeting that the new Traveller Accommodation Plan is out for public consultation and it will be back to the January Council Meeting. The Strategy provides an exemption from Part V to allow estates to be completed. It is our intention to acquire further houses under the Long Term Leasing Scheme. The Strategy is cost neutral and the preferred option under Part V is to acquire land and the second is to get houses.

Cllr. J. Finucane asked if there is a policy to monitor tenancies. If a tenant is involved in crime can they be evicted?

Mr. J. Breen stated that anti social behaviour does not include the possession of drugs for ones own use but if complaints are received the tenant will be pursued. If a tenancy is removed by the Court we no longer have a duty to the tenant. He advised members to inform the Housing Department of any anti social behaviour problems that come to their attention.

Cllr. J. Finucane asked if the Council can introduce a Bye-Law to prohibit the use of drugs by Council tenants.

Mr. Breen said this is not defined as anti-social behaviour but if it leads to other activities it maybe possible to take action. If anyone has a complaint regarding the peaceful use of their home they should contact the Housing Department. If a property is vacant for 6 weeks an Abandonment Notice can be issued.

Mr. Stack then referred members to Page 38 of the Draft Plan for details of the Rural Settlement Strategy and he briefed them on it as follows:

3.3 Rural Settlement Strategy

County Kerry is essentially a rural County with c60% of the population recorded in the 2011 census as living in the rural area, which is much higher than the national average (38%). The countryside however is a finite resource and is a valuable asset both environmentally and economically. It is critical that the asset is protected and enhanced.

It is the policy of the Council to:-

- *Enhance the vitality and viability of the rural towns and villages, to strengthen their role as rural service centres and protect existing community uses and services in the villages.*
- *Maintain a stable population base in the rural areas with a strong network of villages and small towns.*

- *Protect sensitive landscapes and other environmentally sensitive areas from unsustainable development.*

3.3.1 Rural Area Types and Settlement

It is the policy of the Kerry County Council to ensure that future housing in rural areas complies with the *Sustainable Rural Housing Guidelines for Planning Authorities, 2005* (DoEHLG) and this will be achieved through greater emphasis on the following:-

- Establishing that there is a genuine housing need for permanent occupation.
- Giving priority to the reduction of residential vacancy rates in the *Rural Areas Under Strong Urban Influence and Stronger Rural Areas* in preference to new residential development.
- The replacement, renovation or modification of existing structures in rural areas for residential use.
- Encouraging people who wish to reside in the countryside to live in existing settlements or development nodes where there are services available.

Objective No.	Rural Housing
	<i>It is an objective of the Council to:-</i>
RS-1	Ensure that future housing in all rural areas complies with the Sustainable Rural Housing Guidelines for Planning Authorities 2005 (DoEHLG) and the Development Guidance document of this Plan.
RS-2	Require the design of rural housing to have regard to the "Building a House in Rural Kerry; Design Guidelines" (KCC, 2009).
RS-3	Give favourable consideration to the sustainable development of permanent places of residence on vacant sites within existing cluster developments.
RS-4	Ensure that the provision of rural housing will protect the landscape, the natural and built heritage, the economic assets and the environment of the County.
RS-5	Ensure that future housing in all rural area complies with the EPA's 2009 <i>Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses</i> (p.e ≤ 10).
RS-6	Ensure that all permitted residential development in rural areas is for use as a primary permanent place of residence. In addition such development shall be subject to the inclusion of an Occupancy Clause for a period of 7 years.

3.3.1.1 Identifying Rural Area Types

The Sustainable Rural Housing Guidelines (2005) stress the importance of “evidence based” research and analysis being carried out into population and development trends in rural areas. This analysis should include the identification of the location and extent of the rural area types set out in the National Spatial Strategy.

The Planning Authority has carried out an assessment in accordance with the approach outlined in these Guidelines:-

- Analysis and mapping of the data on planning applications for one off rural housing submitted since 2005 (applications lodged, granted, refused etc.).
- Analysis of housing development using the An Post Geo Directory.
- Analysis of Census data on population and household trends. (2002-2006-2011).

This data provides information on population change, population density, planning application numbers and distribution of one off houses granted permission.

An analysis of this data identifies three of the four different types of rural areas. From the analysis carried out, the areas under strong urban influence, stronger rural areas and structurally weaker rural areas have been identified and are shown on Map 3.1.

The following text summaries the characteristics of these areas and the settlement objectives pertaining to them.

AREA 1

Rural Areas under Strong Urban Influence

These are areas which exhibit characteristics such as proximity to the immediate environs or close commuting catchment of the Hub Towns and larger towns, rapidly rising population, evidence of considerable pressure for development of housing due to proximity to such urban areas, or to major transport corridors with ready access to the urban area, and pressures on infrastructure such as the local road network.

Objective No.	Rural Areas under Strong Urban Influence
	<i>It is an objective of the Council to:-</i>
RS-7	Ensure that favourable consideration is given to individual one – off house developments for immediate family members (sons, daughters or favoured niece/nephew) on family farms and land holdings; subject to compliance with normal planning criteria and environmental protection considerations.
RS-8	Give priority to the completion of unfinished dwellings and the occupation of vacant units in preference to new residential development for persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria and environmental protection considerations.
RS-9	Facilitate the housing requirements of the rural community as identified while directing urban generated housing into the towns and villages.

AREA 2

Stronger Rural Areas

In these areas population levels are generally stable within a well-developed town and village structure and in the wider rural areas around them. This stability is supported by a traditionally strong rural/agricultural economic base. The key challenge in these areas is to maintain a reasonable balance between development activity in the extensive network of smaller towns and villages and housing proposals in wider rural areas.

Objective No.	Stronger Rural Areas
	<i>It is an objective of the Council to:-</i>
RS-10	Facilitate the provision of dwellings for persons who are an intrinsic part of the rural community in which they are raised, subject to compliance with normal planning criteria and environmental protection considerations.
RS-11	Consolidate and sustain the stability of the rural population and to promote a balance between development activity in urban areas and villages and the wider rural area.

AREA 3

Structurally Weaker Areas

These areas generally exhibit characteristics such as persistent and significant population decline over an average of two census periods (2002-06-11). These areas have low population density averages and few planning application numbers. Many of these areas, by virtue of their location and topography are isolated. In these areas, the challenge is to stop sustained population and economic decline with a focus on both key villages and rural areas.

Objective No.	Structurally Weaker Areas
	<i>It is an objective of the Council to:-</i>
RS-12	Accommodate demand for permanent residential development as it arises subject to good sustainable planning practice in matters such as design, location, waste water treatment and the protection of important landscapes and environmentally sensitive areas.

AREA 4

Rural Areas With Distinctive Clustered Settlement Patterns

These are rural areas which feature distinctive clustered settlement patterns in the traditional clochan/cluster form. Such settlements are a feature of the Corca Dhuibhne Gaeltacht, but they can also be found relatively small numbers throughout the County. It is intended that these types will be identified as they exist through the Local Area Plan process.

Mr. Stack referred members to Section 3.3.2 Development in Amenity Areas and said this is the same as what is in the current County Development Plan.

3.3.2. Development in Amenity Areas

As outlined in Section 3.3 and in accordance with Objective RS-4 the protection of the landscape is a major factor in developing policies for rural areas. It should be noted that the landscapes and scenery are not just of amenity value but constitute an enormous economic asset. The protection of this asset is therefore of primary importance in developing the potential of the County.

Therefore in addition, to the type of rural areas defined in Section 3.3.1, this Plan also identifies areas which due to their landscape characteristics need an additional policy response. While all landscapes have an amenity value certain landscapes are more sensitive to development than others.

It is important to note that these designations primarily relate to impact on landscape. Other environmental considerations will also have to be taken into account when formulating and assessing development proposals, including the potential for impact on flood risk management, biodiversity, water quality and road safety.

Where there is an overlap between the Rural Area types and the Amenity Areas the policies relating to the Amenity areas shall take precedence.

3.3.2.1. Rural General

These areas constitute the least sensitive landscapes throughout the County and from a visual impact point of view have the ability to absorb a moderate amount of development without significantly altering their character. Residential development in these areas shall be regulated in accordance with the provisions of Section 3.3.1 and objectives RS-1 to RS-4 and Table 3.7 below.

3.3.2.2. Secondary Special Amenity

Areas of secondary special amenity constitute sensitive landscapes which can accommodate a limited level of development. The level of development will depend on the degree to which it can be integrated into the landscape. Residential development in these areas shall be regulated in accordance with the provisions of Section 3.3.1 and Table 3.7 below.

The following provisions shall apply:-

- Individual residential home units shall be designed sympathetically to the landscape and the existing structures and shall be sited so as not to have an adverse impact on the character of the landscape or natural environment.
- Any proposal must be designed and sited so as to ensure that it is not unduly obtrusive. The onus is, therefore, on the applicant to avoid obtrusive locations. Existing site features including trees and hedgerows should be retained to screen the development.
- Any proposal will be subject to the Development Management requirements set out in this plan in relation to design, site size, drainage etc.

3.3.2.3 Prime Special Amenity

Prime Special Amenity areas comprise of the outstanding landscapes throughout the County. Rugged mountain ranges, spectacular coastal vistas and unspoilt wilderness areas are some of the features within this designation.

The County enjoys both a national and international reputation for its scenic beauty. It is imperative in order to maintain the natural beauty and character of the County, that these areas be protected.

It is the policy of the Council that development in relation to Prime Special Amenity areas shall be regulated in accordance with the policies outlined in Section 3.3.1 and Table 3.7 below. For dwellings located on family lands the onus will be on the applicant to satisfy the Planning Authority, with supporting documentation in relation to length of tenure etc.

The following Principles shall apply:-

- The new dwelling shall be located adjacent to, or a suitable location as close as possible to, the existing farm structure or family home. Individual residential home units shall be designed sympathetically to the landscape, the existing structures and sited so as not to have an adverse impact on the character of the landscape or natural environment. Existing site features including trees and hedgerows shall be retained to form a part of a comprehensive landscaping scheme.
- Any proposal must be designed and sited so as not to adversely impact on the visual and scenic amenities of the area. The onus is, therefore, on the applicant to avoid obtrusive locations.
- Any proposal will be subject to the Development Management requirements set out in this plan in relation to design, site size, drainage etc.
- Relevant supporting documentation will require to be submitted.

Subject to the provisions of sections 3.3.4 and 3.3.5, all residential development in rural areas will be for the use as a primary permanent place of residence. In addition it shall be subject to the inclusion of an occupancy clause for a period of 7 years.

PRIME SPECIAL AMENITY	FARM FAMILY MEMBER ENGAGED IN AGRICULTURE OR HORTICULTURE.
SECONDARY SPECIAL AMENITY	SONS AND DAUGHTERS OF THE TRADITIONAL LANDOWNER, OR A FAVOURED NIECE OR NEPHEW, THE LAND HAVING BEEN IN THE OWNERSHIP OF THE FAMILY FOR IN EXCESS OF 10 YEARS WHILE BEING THE LOCATION OF THE PRINCIPAL FAMILY RESIDENCE. <i>Or</i> THE APPLICANT SHALL DEMONSTRATE A GENUINE RURAL EMPLOYMENT NEED. <i>Or</i> THE APPLICANTS FAMILY SHALL HAVE LIVED IN THE IMMEDIATE LOCALITY PRIOR TO JAN 2003 WITH THE APPLICANT HAVING BEEN REARED IN THE LOCALITY.
RURAL GENERAL	THE PROPOSED DWELLING SHALL BE USED AS A PERMANENT PLACE OF RESIDENCE.

Table 3.7 Amenity Zoning Settlement Policy

3.3.3 Ribbon Development on Approach Roads

Undesirable ribbon development on the approaches to settlements should be avoided in order to protect the fabric of settlements by restricting development on the outskirts of towns and villages. Provision will be made for farmers, members of farm families and people that have spent substantial parts of their lives as part of the established rural community building their first home.

3.3.4 Holiday / Second Homes

For the purpose of this policy, the term Holiday Home shall refer to all dwellings / residential units / second homes, which are not occupied as the primary place of residence.

The County has experienced extreme pressure for holiday / second homes in recent years, particularly in visually sensitive landscapes.

It is apparent from the Census 2011 that the level of holiday homes in some areas far exceeds the local indigenous population. The overall result of this sporadic one-off development is an incremental deterioration of the visual and in some cases, the ecological qualities of the landscape.

In order to underpin the basis for sustainable long-term economic development of the County, particularly in the rural areas, holiday home developments shall be concentrated in and adjacent to existing towns, villages and settlements thereby minimising the impact on the open landscape. Such developments should respect the existing fabric of the settlement, both in scale and design. The level and scale of development permitted shall relate to the availability of infrastructure and services and the scale of the existing settlement.

One-off holiday / second homes will not be permitted in rural areas. The replacement, renovation and restoration of existing premises will be considered and encouraged where appropriate.

There is a long established tradition of people who have family ties to rural areas in the County and who return on a frequent basis for weekends, holidays or longer periods. It is considered that these people have established a need for a dwelling in the area.

Consequently, objectives **RS-13, RS- 14 & RS-15** will not apply to:-

(a) A person who is either a son/daughter of a landowner who was reared in the area.

(b) Additionally, in the context of the promotion of agri-tourism, consideration will be given to units of holiday accommodation on agricultural holdings which will remain an integral part of the land holding. These units shall be sited within or adjacent to the existing farm complex.

Objective No.	Holiday & Second Homes
	<i>It is an objective of the Council to:-</i>
RS-13	Ensure that Holiday / second homes are not permitted in the rural landscape.
RS-14	Ensure that holiday / second homes shall be located in established settlements, villages or towns.
RS-15	Ensure that individual holiday home units shall be designed and sited so as not to have an adverse impact on the character of the entire settlement, village, town or natural environment.

Mr. Stack referred members to Section 3.3.5 on Page 47 for details on Renovation and Restoration of Existing and Vacant Buildings Situated in Rural Areas as follows:

3.3.5 Renovation and Restoration of Existing and Vacant Buildings Situated in Rural Areas

The Planning Authority shall give positive consideration to the renovation and restoration of existing structures and to the completion of derelict and vacant buildings in the rural countryside for use as permanent primary residences and as holiday home accommodation. Consideration will be related to the specific location and condition of the structure and the scale of any works required to upgrade the structure to modern standards.

Replacement of an existing dwelling house will also be considered where the renovation or restoration of the building is not feasible for structural reasons. The Planning Authority will require a Structural Engineers Report to support this position.

In Prime Special Amenity Areas, however, the renovation or restoration will be confined to dwellings which are to be occupied by a person as their primary place of residence and who are sons and daughters of traditional landholders, the landholding having been in the applicant's or applicant's family's ownership for a period in excess of ten years while being the location of the principal family residence.

The following provisions shall apply:-

- The structure to be restored/renovated shall constitute an identifiable dwelling, with the walls being generally intact.
- In the case of refurbishment and extension proposals, the scale and architectural treatment of proposed works shall be sympathetic to the character of the original structure and the surrounding area including adjoining or nearby development.

Restored or renovated dwellings shall be located where safe access, acceptable wastewater disposal arrangements can be put in place and where specific development objectives outlined in the County Development Plan are not contravened. Where necessary surveys on protected species may need to be undertaken in order to assess the impact of restoration and renovations on these protected species.

The Planning Authority will also consider the limited conversion of outhouses and other structures attached to country houses or other heritage structures where acceptable conservation practice is observed in line with the other policies and objectives of this Plan, where relevant protected species have been assessed and where acceptable site suitability has been established in terms of access, car parking, open space, wastewater disposal and of maintaining the setting and amenities of the main structure.

Cllr. T. Ferris said there are a number of derelict properties in rural areas and she asked that people with a need to live in the area would be included. She agreed with the provision in relation to holiday homes.

Mr. Stack then continued to read from Page 48 as follows:

Any proposal will be subject to the Development Management requirements set out in this Plan.

Objective No.	Restoration & Renovation
	<i>It is an objective of the Council to:-</i>
RS-16	Give favourable consideration to applications for the conversion and reuse of existing traditional farm buildings or rural houses. These properties should be structurally intact and exhibit essential physical characteristics of a dwelling house.
RS-17	Resist the demolition and replacement of traditional or vernacular rural housing, whose character merits retention.

3.3.6 Vacant and Incomplete Dwellings in Rural Areas

There are a considerable number of vacant or incomplete one-off houses in rural areas due to the economic downturn and lack of availability of finance. It is a priority of the Council to see the completion and occupation of these dwellings. In order to ensure that these houses are occupied during the lifetime of the Plan, the Council will consider a relaxation of the “occupancy criteria” for such houses in the following circumstances:-

- The owner can satisfy the Planning Authority (in confidence) that financial difficulties exist which require the disposal of the house.
- The intended purchaser can satisfy the Planning Authority that the house will be used as a permanent place of residence.
- The purchaser does not own a house already.
- The sale does not give rise to unsustainable travel, i.e. the purchaser must be within a reasonable distance from place of work.
- This policy will only apply to fully and partially complete houses. Furthermore the sale should not give rise to a subsequent application for another house on the same land holding.

Cllr. J. Brassil said this is a very important Chapter in the County Development Plan for members. He complimented those responsible for drawing up the document and said it brings clarity regarding what will/will not be permitted. It is important to try to get unfinished houses in rural areas finished and occupied. This will improve rural Kerry considerably. It is important to get the message out that it might be more difficult to get permission on a green field site but it is not impossible. He welcomed the definition of rural areas and said while it might not please everyone at least people will know what is or is not allowed. Cllr. Brassil said in areas under strong urban pressure a person can apply to finish a house once it will be their permanent place of residence. He agreed with Cllr. Ferris in relation to Prime Special Amenity areas and derelict homes and asked that it would not be too restrictive. He called for an amendment to this wording. Map 3.1 is crucial but he asked how do we define areas is it by townland. The fact that Prime/Secondary Special Amenity takes priority over strong rural areas is to be welcomed.

Mr. Stack referred members to the Map in Volume 3 which shows the county in District Electoral Divisions. It identifies weak rural areas where there was a drop in population and areas under strong urban pressure. This is a lot clearer than in the current County Development Plan.

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Cllr. J. Brassil said if the Draft Plan is adopted it is the best effort made to give everyone a solution to live in rural Kerry. It is important that people understand there is a solution for everyone including holiday homes. It is important that all planners would implement the policies in the same way.

Cllr. A. McEllistrim referred to Page 40 and Objective RS-7 which reads “Ensure that favourable consideration is given to individual one – off house developments for immediate family members (sons, daughters or favoured niece/nephew) on family farms and land holdings; subject to compliance with normal planning criteria and environmental protection considerations” and she asked would 3 acres be considered a landholding.

Mr. Stack confirmed it would.

Cllr. McEllistrim referred to rural areas under strong pressure and she asked where a site is owned for a long time that the applicant would get favourable consideration for planning. However she was aware that An Bord Pleanála overruled Kerry County Council on this in the past.

Cllr. B. Cronin referred to Page 38, Section 3.3.1 Rural Area Types and Settlement and requested clarification on (b) which reads “Giving priority to the reduction of residential vacancy rates in the Rural Areas Under Strong Urban Influence and Stronger Rural Areas in preference to new residential development.” He asked how this would be implemented. Cllr. Cronin then referred to (d) in that section and asked does it mean in the course of pre-planning consultation the applicant will be instructed to go to the nearest village. He then referred to Objective RS-6 which reads “Ensure that all permitted residential development in rural areas is for use as a primary permanent place of residence. In addition such development shall be subject to the inclusion of an Occupancy Clause for a period of 7 years.” He asked will landowners have the right to apply for permission and to sell a site. Cllr. Cronin referred to Objective RS-8 and he asked how it will be implemented. He welcomed the provision on Page 46 to facilitate those who have long established ties with an area to return. In conclusion Cllr. Cronin supported the view expressed by Cllr. Ferris that it is preferable to see derelict properties occupied.

Cllr. J. Healy-Rae referred to Page 45 of the Draft Plan and read the following in relation to Secondary Special Amenity areas:

“SONS AND DAUGHTERS OF THE TRADITIONAL LANDOWNER, OR A FAVOURED NIECE OR NEPHEW, THE LAND HAVING BEEN IN THE OWNERSHIP OF THE FAMILY FOR IN EXCESS OF 10 YEARS WHILE BEING THE LOCATION OF THE PRINCIPAL FAMILY RESIDENCE.

Or

THE APPLICANT SHALL DEMONSTRATE A GENUINE RURAL EMPLOYMENT NEED.

Or

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THE APPLICANTS FAMILY SHALL HAVE LIVED IN THE IMMEDIATE LOCALITY PRIOR TO JAN 2003 WITH THE APPLICANT HAVING BEEN REARED IN THE LOCALITY.”

Cllr. Healy-Rae asked if 2003 will change to 2004 in 2014. He also referred to the reference to ‘family ties to an area’ and said there are cases where a favoured niece or nephew are given a substantial farm and an exception should be made for them if they want to live in the area and work the farm.

Cllr. P. Leahy expressed concern at the 7 year occupancy clause set out in Objective RS-6 in the event of a change in a person’s circumstances.

Cllr. J. Finucane said this Chapter is adding clarity for applicants. Some agents do not carry out their work properly but charge large fees. When a problem arises they advise applicants to contact their local councillor. He asked that a scheme would be devised where agents would be forced to act professionally and to submit properly completed applications.

Mr. P. Stack said this is an ongoing problem for the Planning Department. The quality of applications submitted by some agents is disgraceful. Some agents make an application and wait to see what is missing. If they knew their job this would not happen. He recently spoke to the Head of the Planning Department in UCC on this and he said they also find it frustrating.

Cllr. Finucane suggested that a voluntary scheme could be considered whereby agents would apply to the Council to be included on a list of recommended agents provided they have suitable insurance. He added that they charge huge fees and the applicant is entitled to a professional service.

Cllr. J. Healy-Rae asked Cllr. Finucane how he proposed to vet the agents and to decide who gets on the recommended list of agents. Would it depend on the number of applications submitted and permissions granted?

Cllr. J.J. Culloty asked if any other county deals with this issue in a different way.

Cllr. G. Wharton Slattery asked if it would be legal to produce such a list.

Mr. M. McMahon, Director of Planning said it would not be legal to compile such a list.

Mr. P. Stack referred to Cllr. Leahy’s query on the 7 year occupancy clause and said where the owner can satisfy the planning authority that he/she is in financial difficulty they will be permitted to sell the house provided the purchaser uses it as their permanent place of residence.

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Cllr. B. Cronin referred to Objective RS-6 which states 'Ensure that all permitted residential development in rural areas is for use as a primary permanent place of residence. In addition such development shall be subject to the inclusion of an Occupancy Clause for a period of 7 years.' He asked if the inclusion of the word 'all' will impact on a landowner who wants to sell land.

Mr. Stack pointed out that the person who will occupy the house will apply for permission.

Cllr. J. Healy-Rae asked would a person who inherits land be facilitated.

Mr. Stack said if the applicant can demonstrate they have a genuine 'rural need' then provided all other criteria is met they will be facilitated.

Cllr. B. Cronin referred to Objective RS-8 and asked how this will be implemented.

Mr. Stack said it will be difficult but in the pre-planning discussions the applicant will be advised and encouraged to try to acquire vacant buildings. However if that is not possible and they satisfy all other criteria for a rural area they will be facilitated.

Cllr. Cronin said it will be very difficult to implement this objective.

Mr. Stack said it is an aspiration.

Mr. McMahon said this will be relevant where an applicant cannot satisfy the percolation requirements on their site.

Cllr. N. Foley asked if this Objective is binding by its nature and is it legal.

Mr. McMahon said the planning authority must include an objective and the planning authority must strive to achieve it. A number of objectives are included in the Draft Plan to facilitate applicants.

Mr. Stack informed the meeting that Pages 49 – 52 deal with Urban Housing and he read the following into the record of the meeting.

3.4 Urban Settlement Strategy

3.4.1 Role of the Settlements

The Local Area Plans for each Municipal Area will give guidance on the scale, character, layout and design appropriate to each town and on the timely delivery of both physical and social infrastructure required for the town to achieve its target population and develop in a sustainable manner.

It is the policy of this Council to prioritise the sustainable development of the main towns in the County to achieve their target populations and enhance their capacity to attract new investment in employment, services and public transport for the benefit of their own populations and that of their rural hinterlands.

Many of the settlements in the County contain areas where flood risk management needs to be taken into consideration when formulating or assessing development proposals. Guidance in relation to this is contained in the 'Natural Environment and Flood Risk Management' Chapter of this document and in the 'Development Management Guidance'.

Objective No.	Urban Housing
	<i>It is an objective of the Council to:-</i>
US-1	Ensure that future housing in urban areas in the County is located on lands zoned for residential use. In towns and villages residential development shall be located in town/village centres or immediately adjacent to town/village centres (based on the sequential approach); on serviced lands; and in accordance with the Development Guidance document of this Plan.
US-2	Ensure that any new development in villages and development nodes respects the scale and character of the existing settlement.

3.4.2 Sustainable Residential Communities

Objective No.	Housing
	<i>It is an objective of the Council to:-</i>
US-3	Ensure that all new development within the County supports the achievement of sustainable residential communities. The Council will have regard to the provisions of the Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual.
US-4	Promote development which prioritises and facilitates walking, cycling and public transport use in a sustainable manner, both within individual developments and in the wider context of linking developments together and providing connections to the wider area, existing facilities and public transport nodes.

3.4.3 Urban/Settlement Regeneration

The 2011 census indicated decreasing population numbers in the urban core areas of both Tralee and Killarney; this is similar to the national trend. In the more remote areas of the County, which tend to have a weak urban fabric of towns and villages and a wide dispersal of housing in the agricultural hinterland, the inherent problems of the current settlement pattern are emphasised. To counterbalance these effects, a very strong network of inter-dependent settlements must be promoted throughout the County in a proactive way.

It is the policy of the Council to recognise and emphasise the potential for greater residential and commercial use within the historic cores of the towns and villages where many opportunities for intensification of residential uses exist.

Objective No.	Regeneration & Renovation
	<i>It is an objective of the Council to:-</i>
US-5	Encourage and stimulate the sustainable re-development of the town and village cores.
US-6	Support the sustainable development of infill sites in towns and villages and encourage the use of upper floors of retail premises as residential accommodation as a means of providing additional housing and revitalising settlements.

3.4.4 Urban Design

As the majority of future population growth will need to be accommodated in urban areas, it is critical that the Hub towns and the other main towns of the County are in a position to sustain balanced regional development by attracting people and investment.

The quality of the urban environment on offer in these urban areas is critical in this regard and urban design has a key role to play in creating and maintaining successful places. The defining qualities of successful urban places include a pride of place, ease of movement, quality of the public realm and inclusivity.

Objective No.	Housing
	<i>It is an objective of the Council to:-</i>
US-7	Ensure that all new urban development is of a high design quality and supports the achievement of successful urban spaces and sustainable communities. The Council will have regard to the provisions of the Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual.
US-8	Provide additional guidance, including principles and policies, on urban design issues at a local level. Where appropriate Local Area Plans will provide additional guidance in the form of design briefs for important, sensitive or large scale opportunity & development sites.
US-9	Require the submission of design statements with all applications for residential development.

3.4.5 Village Design & Enhancement

Kerry County Council has sought to improve the overall appearance of the County's towns and villages in recent years through Pride of Place Initiatives, Tidy Towns Initiatives and through policies contained within Local Area Plans and through effective development management and enforcement.

It is the policy of the Council to work closely with local communities in implementing village design plans that have been prepared in a public consultation process whilst ensuring that such plans are consistent with adopted Local Area Plans and development objectives contained in the County Development Plan.

Objective No.	Village Design & Enhancement
	<i>It is an objective of the Council to:-</i>
US-10	Facilitate and support the implementation of Village Design Statements and other community led projects, in a sustainable manner, to enhance village environments that have been prepared through a public consultation process.
US-11	Produce indicative village design statements in order to encourage sympathetic design of new buildings into established villages or village nuclei.

Cllr. T. Ferris asked if it would be possible to incorporate a minimum size of urban design as some apartments/houses are much too small and they are not conducive to good mental health.

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In response Mr. McMahon said there are Departmental Guidelines for apartment developments. In one case the planning authority refused an extension of permission because the development did not meet the minimum size requirement as per the Guidelines.

Cllr. T. Ferris said an application to renovate a property should also be a minimum size.

Mr. McMahon confirmed there are minimum sizes included in the Ministerial Guidelines.

Cllr. A. McEllistrim referred to Objective US-5 on Page 51 of the Draft Plan and asked if urban renewal as well as urban development is included i.e. Mitchels.

Mr. McMahon said this objective also refers to renewal.

Cllr. McEllistrim asked that both urban renewal and urban development would be encouraged.

The Mayor informed members that consideration of the remaining chapters in the Draft County Development Plan would resume on Monday 9th December at 10.30am. They would commence with Chapter 4.

The meeting concluded at 4.50pm.

Gerard O'Brien

Meetings Administrator

Mayor of Kerry