

'Submission / Observations on Proposed Variation No. 3 of the Listowel Town Development Plan 2009-2015'

To The Attention of:
Senior Planner,
Planning Policy Unit, Planning Department,
Kerry County Council, County Buildings,
Rathass, Tralee

From:
Patrick Carey,
[Redacted]
[Redacted]
[Redacted],
[Redacted]

11 December 2019

A Chàra,

I'm making this submission on behalf of my parents, Mr Gerald and Joan Carey, who reside at 105 Church Street, Listowel and also own the property 107 Church Street, Listowel. In the Town Development 2009-2015, Map 3 (Roads and Transportation), the properties 109 and 107 Church Street, were identified as being part of a proposed road corridor into the ROS4. The inclusion of 107 Church street as part of the proposed road corridor, was confirmed at a meeting with a Planning Officer in April 2009 (Minutes supplied by Listowel District Council, available on request, if so desired), as it was not clear from Map 3 at the time (Refer to *Figure 1* below), if 107 Church Street, was part of the proposed corridor. From what I can see, this remained unchanged in Variation 1 and 2 of the Listowel Town Development Plan, which occurred since 2015. Incidentally the inclusion of 107 Church street in the proposed corridor to ROS4, is present in Land Use Zoning map, introduced under Variation No.2 (Refer to *Figure 2*.)

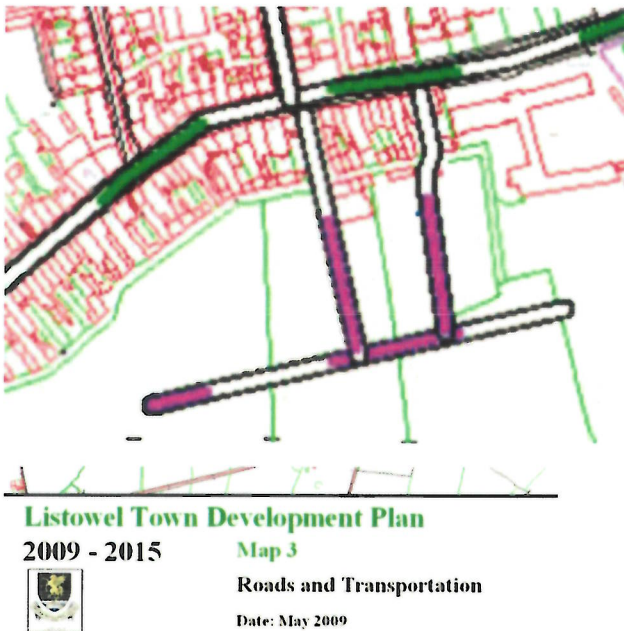


Figure 1: Snippet from original Map 3 in the Listowel Town Development Plan 2009-2015, showing the proposed road corridor at Upper Church street.

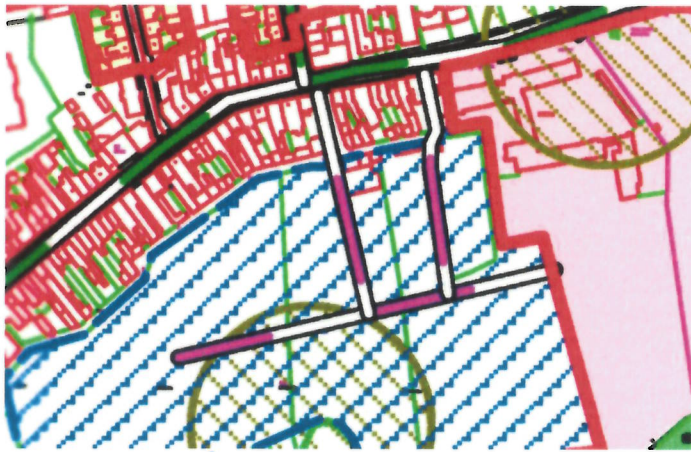


Figure 2: Snippet from Land Use Zoning Adopted Variation No.2 in the Listowel Town Development Plan 2009-2015, showing the proposed road corridor at Upper Church street.

In the Proposed Variation 3 to the Listowel Town Development Plan 2009-2015 (As Extended), under Revision 29, Map 3 (as amended) is to be removed and a New Map 2 is to be introduced (Revision 32). The proposed Map shows clearly, that 107 Church Street, has been removed as a possible access route to what was ROS 4.

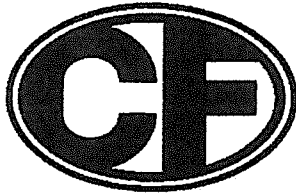
Can I ask why 107 Church street, has been descoped as possible entrance to the ROS located at the rear of Upper Church Street?



Figure 3: Snippet of Upper Church Street, from the proposed Map 2 under Variation 3 of the Listowel Town Development Plan 2009-2015 (As Extended)

Yours Sincerely,

Patrick Carey



OCFPM
DUBLIN - CORK - LONDON

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OCF Ref: JB 1350

Date: 11/12/19

Declan O'Malley,
Planning Policy Unit,
Planning Department,
Kerry County Council,
County Buildings,
Rathass, Tralee.

**Submission on Draft Listowel Municipal District Local Area Plan via email to
planpolicy@kerrycoco.ie**

Please find attached Appendix 1 Barrett Submission Listowel Town Area Plan Map. The following are the reasons we believe the draft plan should be amended to reflect our submission.

- The area shown orange has previously been zoned residential and has all the required infrastructural services in place. It has two access routes and at the request of the Town Engineer a Traffic Report was commissioned and submitted confirming the suitability of the access. It is the most central location in town for houses. OCF have been appointed to apply for planning permission once this area has been rezoned and develop the site. OCF are already working with Kerry County Council on resolving planning condition compliance on previous planning permissions in Golf View.
- The area shown white is designated Independent living/retirement as per the request of the Town Engineer. There is a huge demand for this type of development in Listowel especially given its proximity to the Town Park, Childers Wood, Gardens of Europe, Graveyard, Church.
- The Draft Greenway Route is as confirmed by the Town Engineer a major error as it passes over Land not taken in charge by the council therefore, we have proposed an alternative route that doesn't require any other landowner approval. The proposed route will be of no financial cost to the Council as it can be made a condition of planning.
- From submissions lodged residents of Golf View and Kenny Heights it is clear that they both support this submission.
- Feale View House is an existing house that property tax is currently being paid and furthermore its ancillary buildings are being used for Farm Machinery along with Greyhound Kennels yet is incorrectly shown as Green Area on the Draft Plan.
- The area highlighted light blue is incorrectly shown as Green Area yet has been used as Agricultural for over 10 years and recently been re-seeded. This needs to be corrected.

Regards,

Tony Fitzgerald.
Managing Director BE MIEI.
E:tfitzgerald@ocfpm.com

Barrett Submission re Draft Variation 3 to Listowel Local Area plan
 Orange coloured area to be zoned residential as it was prior to variation 2 and to change White Area (1 Hectare) previously Green Area to be zoned Retirement /Independent Living.
 Area light blue to be zoned Agricultural
 Greenway Circular Route (Black Line) accessing Listowel Abbeyfeale Greenway via either Tobins Land or Kenny Heights and Accessing the Town Park via River Gate and adjacent Gardens of Europe

REFERENCED PLOT

Legend:

| | |
|--|---|
| | Settlement Boundary |
| | New proposed residential |
| | Existing Residential |
| | Mixed Use |
| | Town Centre |
| | District neighbourhood centre |
| | Built up area |
| | Industrial/Enterprise Employment |
| | Tourism & Leisure |
| | Buffer Space |
| | Active open space |
| | Mixed general Green?/recreation/suasion |
| | Agriculture |
| | Educational |
| | Community Facilities |
| | Management community open space |
| | Water/Watercourse |
| | Strategic Reserve |
| | Cathedral/Monastery |
| | Opportunity Sites |
| | Indicative Litelvel Bypass |
| | Record of Monuments & Places |
| | Sites & Monuments Record |
| | Residential Representation Areas |



Senior Planner
Planning Department
Kerry County Council
County Buildings
Rathass
Tralee
Co. Kerry

Dáta | Date
11 December, 2019

Ár dTag | Our Ref.
TII19-107772

Re: Proposed Variation no. 3 to the Listowel Town Development Plan, 2009 - 2015

Dear Sir/Madam,

Transport Infrastructure Ireland (TII) acknowledges receipt of referral of Proposed Variation no. 3 to the Listowel Town Development Plan, 2009 – 2015. In relation to the specific revisions included in Proposed Variation no. 3, the following observations are provided for the Councils consideration.

Proposed Revision 9

The Authority notes proposals to designate a number of Opportunity Sites within the Listowel urban area identified as being of prime importance to the economic regeneration and urban fabric enhancement of the town.

In particular, TII notes proposals relating to the Castleinch Masterplan area which adjoins the N69, national secondary road.

Having regard to the proposed opportunity site location adjacent to the national road network and associated junctions, TII recommends that development proposals on the site are appropriately assessed to ascertain the implications of traffic generation on the safe and efficient operation of the national road network and associated junctions. Proposals should consider the cumulative impact of development in the area and be subject to Traffic and Transport Assessment. Where measures are required to upgrade the junctions concerned or adjoining national roads to facilitate planned development the costs of such works is matter for the Council and/or developers concerned. Proposed works to the national road network should be undertaken in consultation with TII.

TII recommends that access to the Castleinch Masterplan area should be planned to ensure that the development of the lands is undertaken in a manner complementary to safeguarding the strategic function of the national road network in the area in accordance with the provisions of official policy.

TII would welcome an acknowledgment of the foregoing matters in relation to access and the requirement for Traffic and Transport Assessment to be included in the proposed variation prior to adoption.

Where proposals are subject to Masterplan exercises, appropriate consultation with statutory stakeholders should be undertaken and TII recommends that any adoption process or framework should be clearly identified.

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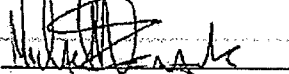
Proposed Revision 24

TII welcomes provision for the N69 Listowel Bypass Scheme in Proposed Revision no. 24. In accordance with the Section 28 DoECLG Spatial Planning and National Roads Guidelines (2012) the lands identified for the N69 Listowel Bypass Scheme should be retained free from development. TII would welcome revision to Proposed Objective MAC31 to include the provision that the lands required for the approved N69 Listowel Town Bypass Scheme will be retained free from development to facilitate the delivery of the scheme.

Conclusion

It is requested that the foregoing observations are taken into consideration prior to the adoption of Proposed Variation no. 3 to the Listowel Town Development Plan, 2009 – 2015.

Yours sincerely,



Michael McCormack
Senior Land Use Planner

Senior Planner
Planning Department
Kerry County Council
County Buildings
Rathass
Tralee
Co. Kerry

Dáta | Date
11 December, 2019

Ár dTag | Our Ref.
TII19-107772

Re: **Draft Listowel Municipal District Local Area Plan, 2019 – 2025**

Dear Sir/Madam,

Transport Infrastructure Ireland (TII) acknowledges receipt of referral of the Draft Listowel Municipal District Local Area Plan, 2019 – 2025, and outlines the following observations for the Councils consideration;

1. MANAGING EXCHEQUER INVESTMENT AND STATUTORY GUIDANCE

a) Strategic National Road Network

The Council will be aware that national roads play a key role within Ireland's overall transport system and in the country's economic, social and physical development. The national road network provides strategic transport links between the main centres of population and employment, including key international gateways such as the main ports and airports, and provides access between all regions in the state.

The Authority therefore wishes to ensure in so far as practicable, the preservation of the efficiency, capacity and safety of the N69 and N67 national roads in this area.

Project Ireland 2040 | National Planning Framework identifies maintaining the strategic capacity and safety of the national roads network as part of National Strategic Outcome 2. The National Development Plan, 2018 – 2027, outlines as an investment priority, ensuring that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users. The Strategic Investment Framework For Land Transport (DTTAS, 2014), Smarter Travel (DTTAS, 2009) and the provisions of the Section 28 DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012) all outline the critical need to manage national road assets in accordance with official policy.

The Council will also be aware that safeguarding the strategic capacity and function of the national road network in the Listowel Municipal District Local Area Plan area will give effect to supporting other critical strategic objectives including those related to Tourism, Employment and Economic Activity in the Draft Local Area Plan.

In that regard, TII welcomes the acknowledgement in Section 2.4 and Section 2.6.4 of the Draft Municipal District Local Area Plan (MD LAP) that the Council will endeavour to maintain the strategic capacity and safety of the national roads network and safeguard the investment made in strategic national roads. Objective no LS-RI-03 also refers. The reference to compliance with Development Plan policies and objectives in Section 2.6.4 is also noted. The national road network through the MD LAP primarily comprises high speed 100kph locations outside areas

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where reduced urban speed limits apply. It is critical in terms of road safety that development management policies conform to the provisions of official policy included in the Section 28 DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

In addition to the foregoing, TII would welcome consideration being given to including as Overall Strategic Development Objectives in Section 2.1.4 of the Draft MD LAP objectives to; a) to maintain the strategic capacity and safety of the national roads network and b) to safeguard the investment in national roads in the MD LAP area.

Within the context of the above, the Authority requests that the following recommendations are considered and, where relevant, addressed prior to the adoption of the MD LAP;

2. SPECIFIC DEVELOPMENT OBJECTIVES

a) Section 2.4 Infrastructure

TII welcomes provision for the N69 Listowel Bypass Scheme in Section 2.4 and Objective LS-RI-03. In accordance with the Section 28 DoECLG Spatial Planning and National Roads Guidelines (2012), TII would welcome inclusion in the Draft MD LAP prior to adoption a statement indicating that the lands identified for the N69 Listowel Bypass Scheme will be retained free from development to facilitate the delivery of the scheme.

b) Section 2.6.6 Wild Atlantic Way

Objective WAW-01 outlines the objective to facilitate the sustainable development of viewing points and other facilities along the Wild Atlantic Way at appropriate locations. In the event such proposals correspond to locations on the strategic national road, TII recommend that proposals should be progressed complementary to safeguarding the strategic function and safety of the national road network and subject to adherence to the provisions of official policy. TII is available to liaise with the Council and Fáilte Ireland in relation to such proposals with implications for the national road network.

c) Section 2.3.3 The Shannon Estuary (Tarbert/Ballylongford landbank)

TII acknowledges the identification of the Tarbert/Ballylongford landbank in the Shannon Strategic Integrated Framework Plan (SIFP) and welcomes the development objectives being considered in the context of the statutory land use planning strategy for the area. Having regard to the extent of development planned for the area, TII recommend that development proposals on the subject sites are appropriately assessed to ascertain the implications of traffic generation on the safe and efficient operation of the national road network and associated junctions in the vicinity. Proposals should consider the cumulative impact of development in the area and be subject to Traffic and Transport Assessment. Where measures are required to upgrade any national road junctions concerned to facilitate planned development the costs of such works is matter for the Council and/or developers concerned. Proposed works to the national road network should be undertaken in consultation with TII.

d) Town & Village Settlements

i. Part A Section 3 Introduction to Settlements

It is noted that Objective LS-R-06 addresses the requirements for Masterplans in the MD LAP area.

TII considers that where proposals are subject to Masterplan exercises, appropriate consultation with statutory stakeholders should be undertaken and TII recommends that any adoption process or framework should be clearly identified. TII is available for liaison with the Council in relation to any such masterplan lands impacting the national road network.

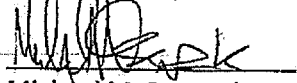
ii. Part B Section 3.2 Listowel Town

TII welcomes provision for the N69 Listowel Bypass Scheme in the text of Section 3.2.7 of the MD LAP. In accordance with the Section 28 DoECLG Spatial Planning and National Roads Guidelines (2012) the lands identified for the N69 Listowel Bypass Scheme should be retained free from development. TII would welcome the Draft Plan including an objective to retain free from development lands required for the approved N69 Listowel Town Bypass Scheme to facilitate the delivery of the scheme.

Conclusion

It is requested that the foregoing observations are taken into consideration prior to the adoption of the Listowel Municipal District Local Area Plan, 2019 – 2025. As advised, TII is available to assist the Executive of the Council in addressing any of the issues identified in the foregoing.

Yours sincerely,



Michael McCormack
Senior Land Use Planner

Senior Planner,

As a resident of number [REDACTED] Kenny Heights, we wish to express our opposition to any development of Tobin's Field. This will bring increased traffic into the estate, which already experiences high volumes of vehicles. Aside from this, the disruption caused during the construction phase and thereafter would be dangerous and represent a safety risk to children.

Our residents association have worked tirelessly to maintain the estate over the past number of years - this work would be eroded by this proposed development. The development would also undoubtedly lower the value of existing properties.

Kind regards,

Paul and Audrey Collins.

The following is a submission to the Draft Listowel Municipal District Development Plan 2019-2025.

The submission outlines details of lands located at Buncurrig Ballyheigue and reasons as to why we seek these lands to be zoned as residential with tourist opportunities in the next Local Area Plan.

Location of Lands: Buncurrig Ballyheigue: See map Fig.1.

Area of lands Circa 3.5 Ha.

Owner of lands and submitter: Mary Flahive.

Address: [REDACTED] Ballyheigue.

email: [REDACTED]

Phone: [REDACTED]

Agent: EMConsulting Oliver Plunket Street Cork.

email: edmondmoriarty@eircom.net

Phone: 0866052638

Purpose of Submission: Outline details and reasons to have lands rezoned as residential with tourist opportunities at Buncurrig Ballyheigue.



Fig1. Locational Context.

Development Plan:

During its six year life the Listowel Municipal District Local Area Plan will provide one of the key policy contexts for individual planning decisions within the development area of the plan. The following is a submission to the draft stage of the plan and will be followed up by targeted and reasoned lobbying in order that the lands which are subject of the submission are appropriately zoned and that no restrictions are placed on the property.

The Lands:

It is important to note from the outset that the subject lands were zoned in previous development plans. This zoning was removed in the 2009 plan. What we are seeking is, in fact to have the lands rezoned as before; however, this submission will set out the reasoning as to why the rezoning should be considered.

The subject lands are located at Buncurrig, Ballyheigue and lie within the scope of the Listowel Municipal District Local Area Plan. They currently lie outside the settlement boundary; however the lands are bounded directly (in part) with the said boundary.



Fig 2 Context of site within the LAP:

Context

As noted the lands adjoin the settlement boundary at eastern extremity of the Village. They lie to rear of a row of Lasse Fayre laid out, dwellings which extend the linear nature of the village in the direction of Tralee along the R155 regional road. It is among these dwellings that the entrance to the lands is located.

The lands are strategically located in that they are currently bounded by residential developments to the north and west (with the village core directly beyond) and to the south by a tourist facility (caravan/mobile home park), it is bounded to the east by agricultural lands.

The area of the lands are circa 3.6ha and due to their topographical nature, are ideally suited for development; located on the lower slopes of terrain that rises at first gently to Dirtane and Heir Hill beyond. It is on these gentle lower slopes that the lands lie and makes ideal terrain for drainage purposes and movement within.

Water and Sewer:

The draft area plan points out that the current waste water treatment in well under capacity for the village and will be capable of doubling its current capacity. The lands provided with a good supply of potable water from the existing public water supply.

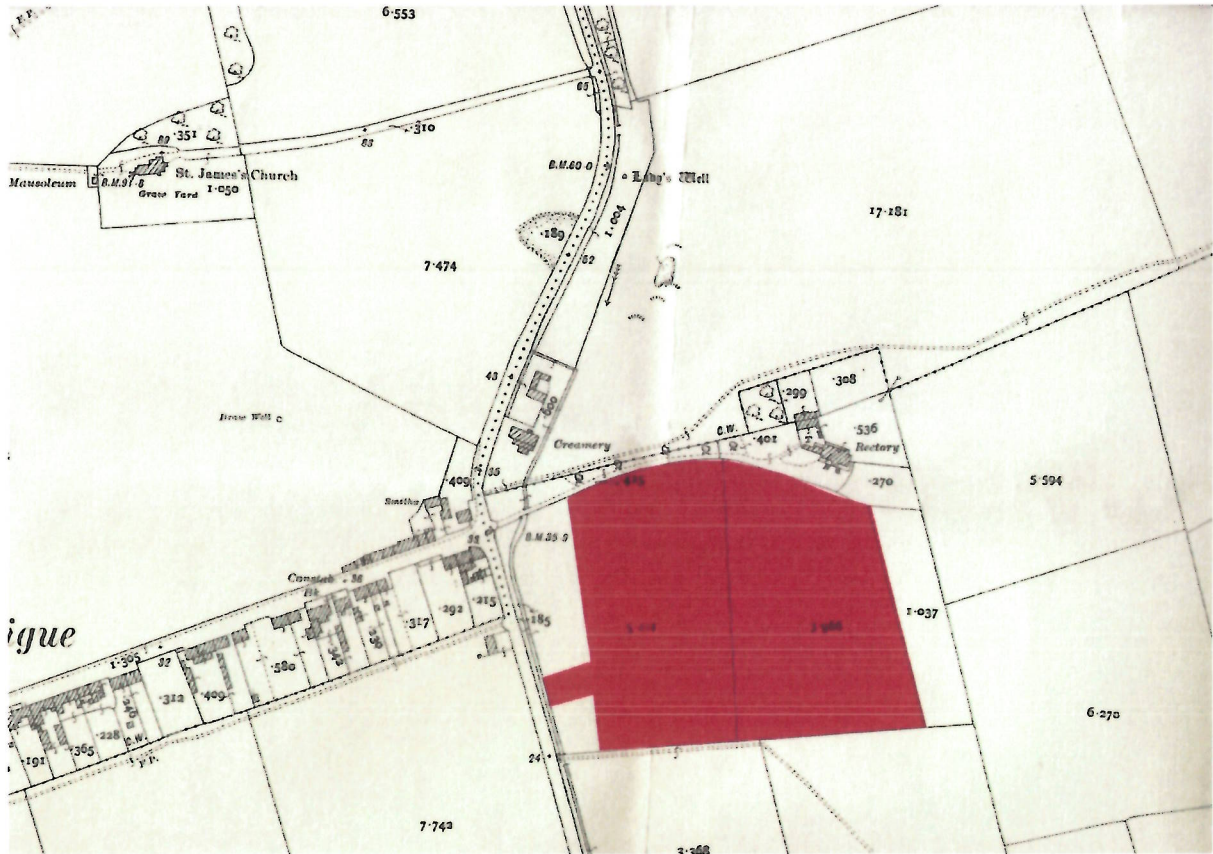


Fig3 Site Map:

Village context:

The settlement of Ballyheigue is typified by its traditional linear nature and due to its geographical context and political past, continued to develop in this pattern, until relatively recent times. It is comprised of a single linear core of the main street that extends from the castle gates to the Tralee road to the east. This linear pattern has extended along the coast road to Marian Park to the west and along Harty's Terrace and the Mountway to the north. It has developed to the south behind the sand dune system at one end and along the Tralee road at the other (eastern) end. (See Fig 4).

This pattern has been disrupted in relatively recent years by the development of a number of residential housing estates; namely, "Bar Na Sraide" that runs north of the village core and to a lesser extent "Sandy Lane", located by the beach car park. This non-linear pattern has been exasperated by the development of a number, of what could be considered poorly planned holiday settlements located within the back-lands.

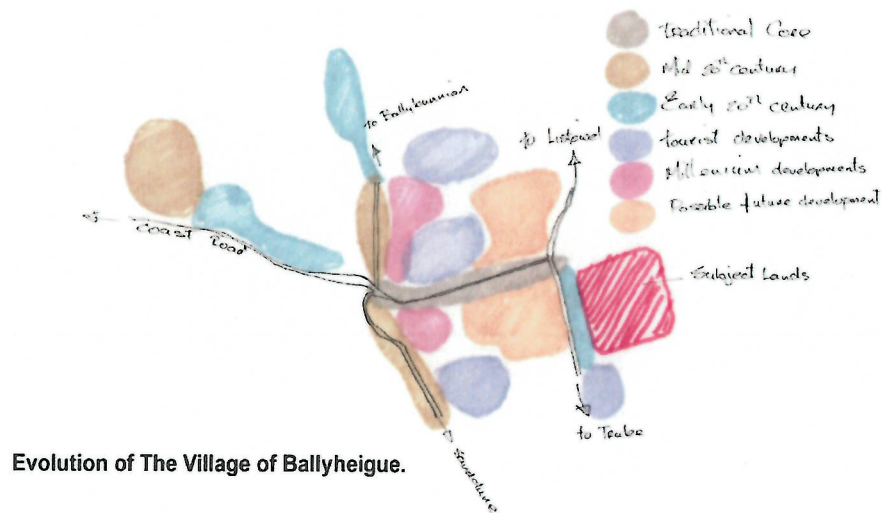


Fig. 4 Village Evolution:

Context within the Local Area Plan:

The Listowel Municipal District draft Development Plan outlines the overall vision for the future development of Ballyheigue so as to ensure that it develops as a sustainable and attractive location for residents and tourists alike.

Its strategic issues are - Inter Alia – that:

- All new development is to appropriate design and does not detract from the character of the settlement.
- Development should not extend the existing pattern of linear development of Ballyheigue.
- That it meets the targets set out in the settlement policy of the plan.

Whilst reviewing the existing pattern of development within the entire settlement in terms of future expansion the rezoning of the subject lands as residential gives a quality opportunity to extend the settlement to the east. This strategy would be considered to be in keeping with the strategic issues outlined in the draft plan.

There may be little opportunity to develop the lands within the zoned as strategic residential reserve, as these lands are in fulltime active agriculture. So this would be an ideal opportunity to expand this strategic reserve.

The lands subject to this submission would provide space for an orderly extension to the village core in a direction of which has previously been relatively under developed.

We therefore ask that the officials and elected members consider this submission in a considered fashion and include the lands for rezoning as considered appropriate.

Summary:

The lands subject of this submission had previously been zoned. This zoning was removed in 2009. We are now seeking to have the lands once again zoned as residential with tourism opportunities. The submission illustrates the opportunities provided for an orderly extension to the village core in an area that has here to fore been relatively free of development pressure.

SuperValu

Real Food, Real People

Cahill's SuperValu
Main Street
Ballybunion
Co. Kerry

Tel: 068 27244
Fax: 068 27070
email: accountsinballybunion@googlemail.com

11/12/19

RE : DRAFT LISTOWEL MUNICIPAL DISTRICT LOCAL AREA PLAN 2019 -2025

To Whom it May Concern,

As is outlined in the draft plan, the "Castle Site" has been designated as an "Active Open Space" zone.

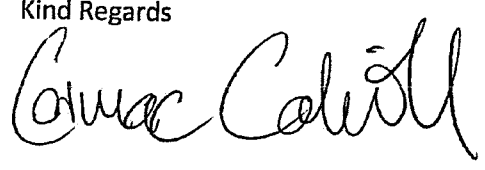
As you may be aware, this site previously housed the Castle Hotel until it's unfortunate demolition.

The site has subsequently been purchased by some prominent local businesspeople whom may possibly develop same to the benefit of both the economic and social regeneration of North Kerry as a whole.

Any such development would greatly enhance the economic viability of my business and galvanise my future here as a businessperson in Ballybunion.

In order to facilitate any such potential this site would require a "mixed use" zoning.

Kind Regards



CORMAC CAHILL

I am a resident of Kenny Heights and I strongly oppose the above plans to develop Tobin's field for residential Zoning.

When I purchased my property it was on the grounds that the estate was complete with no further developments planned.

This would certainly affect my view and spoil the outlook, furthermore it would create more traffic through the estate and having discussed it with my neighbours I find that they are in total agreement.

Regards

Diane Donovan

Senior Planner,

I am a resident of Kenny Heights, I strongly object to the proposed zoning of Tobin's field.

I purchased my house for both the view and on the grounds that Kenny Heights estate was fully completed.

I live at the end of the estate overlooking the green area, I certainly do not want my view obstructed and also I oppose an increase in traffic.

Regards

Ellen O'Reilly



LISTOWEL
CO KERRY
V31 DN80

Senior Planner,
Planning Policy Unit, Planning Dept,
Kerry County Council, County Buildings
Rathass
Tralee, Co Kerry

12th December 2019

Submission/ Observations on Proposed Variation No.3 of Listowel Town Development Plan '09-'15

Dear Senior Planner,

We the residents of number 48 Kenny Heights and in the vicinity of the proposed rezoning, wish to register our strong objection to the proposed residential zoning to the rear of Kenny Heights estate. We respectfully bring the following matters to your attention.

- This change in land use zoning and the realisation of associated future developments will result in permanent losses of areas of natural environment
- Any such rezoning and realisation of associated future development will detract from the compact nature of the existing development that is Kenny Heights
- We consider that this proposed rezoning will not provide any enhancement or improvement to Kenny Heights
 - Negative impact of additional traffic in the area – all houses traffic existing via our estate – into what is already a busy exit road from Kenny Heights and Golf View Estate
 - Nearby intersection ie Kenny Heights roundabout simply cannot handle dramatic increase in traffic associated with future developments if this area is rezoned as residential. As such a large additional volume of traffic exiting onto the very busy National Route (N69) leading into our estate creates an unwarranted high risk for road users and pedestrians. Indeed this roundabout has been the subject of several accidents and 'near misses' in terms of RTAs.
 - Negative impact on nature and wildlife
 - Aesthetically – A negative impact on the visual amenity that is the vast open view from rear of Kenny Heights Estate (green area) as is currently enjoyed by all residents through the use of the green area for recreation
- This amendment and subsequent residential development is neither in keeping with nor harmonious to the existing public realm of the area
- The realisation of associated future developments on foot of this proposed rezoning will result in significant hazard and unnecessary inconvenience to residents of Kenny Heights by way of
 - Construction vehicles and staff access to the site

- Noise and dust associated with large scale development
- In so far as moderate proportions of development progress in / in the vicinity of Kenny Heights may be acceptable, it should also be borne in mind that the Greenway development has recently been approved and indeed works commenced on same – this in itself encroaches upon many of the adjoining Kenny Heights property owners and as such any additional developments in the vicinity area, are considered disproportionate and unwarranted.
- As such there has been a complete lack of genuine neighbour engagement – apart from the open day held at the council on 21st November – This however was a medium to inform the neighbours of the proposed rezoning rather than to engage in dialogue or consider neighbours concerns.

In conclusion the Kerry County Council is respectfully requested to re-consider such a proposal for rezoning of this parcel of land.

Yours faithfully

Michelle Kearney and Daniel Leahy