

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

12<sup>th</sup> December, 2019  
[By Email]

**RE: SUBMISSION TO THE DRAFT LISTOWEL MUNICIPAL DISTRICT LOCAL AREA PLAN  
2019-2025**

Dear Sir/Madam,

## 1.0 INTRODUCTION

Mr Frank Quilter has retained Tom Phillips + Associates (Town Planning Consultants), to make this submission to the *Draft Listowel Municipal District Local Area Plan 2019* in relation to lands in his ownership at St. Michael's Green, Ballinageragh, Lixnaw, Co. Kerry. The *Draft Plan* is currently on public display until 13<sup>th</sup> December 2019.

The purpose of this submission is twofold;

- (i) The logical and rational extension of the *Lixnaw Village Settlement Boundary* and
- (ii) the rezoning of the subject site to "*Residential R1, R2,*" to provide for the completion of a previously permitted, partially constructed housing estate and enable future residential development.

We submit that the proposed zoning designation of the subject site in the current *Draft Plan*, if adopted, would keep the site in a partially-constructed state in perpetuity, which is counter to the provisions of both the current and *Draft Plan*, as well as the *Kerry County Development Plan 2015 – 2021*.

TOWN PLANNING CONSULTANTS

**Directors:** Tom Phillips BA MRUP MA (Urb Des) MRTPI FPI (Managing) Gavin Lawlor BSoc Sc MRUP MIPi and John Gannon BSc (Surv) MRUP MIPi  
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Figure 1.0 - Site context OSI map. Indicative Site Boundary in Red. The Green Line denotes where the Lixnaw Settlement Boundary transects the red line boundary of the previously permitted and partially constructed mixed-use scheme [Source: MyPlan.ie, Annotated by Tom Phillips + Associates, 2019.]



Figure 1.1 - Aerial view of the subject site, with existing/proposed settlement development boundary denoted with a red line (Source: Bing Maps, annotated by Tom Phillips + Associates, 2019.)



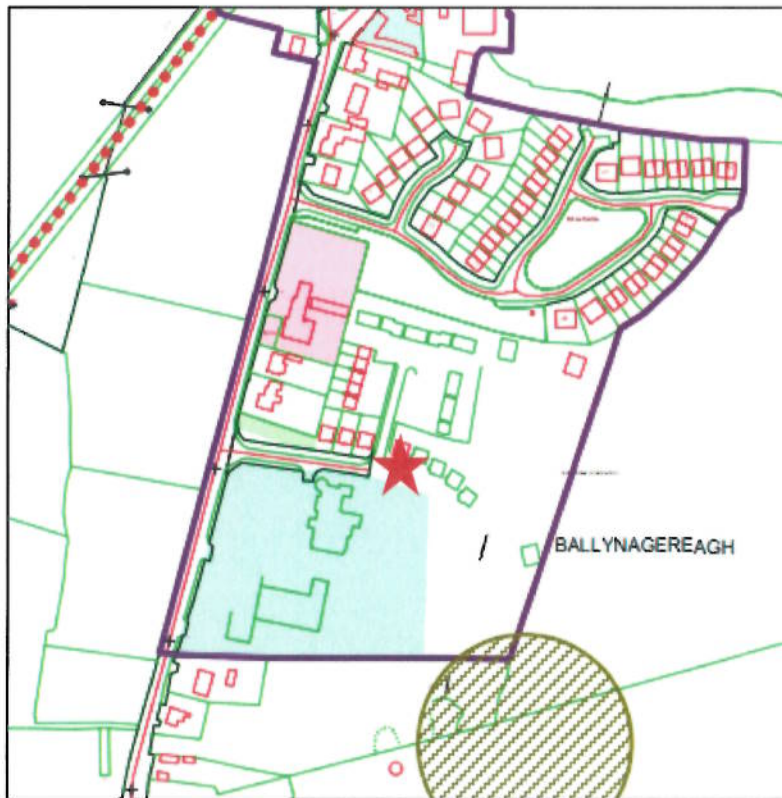


Figure 1.2 – Extract of *Tralee/Killarney HUB Functional Area Local Area Plan 2013 – 2019 Zoning Map for Lixnaw*, with the general location of the site indicated with a red star. The legend for the map has also been included [Cropped and annotated by Tom Phillips + Associates, 2019.]

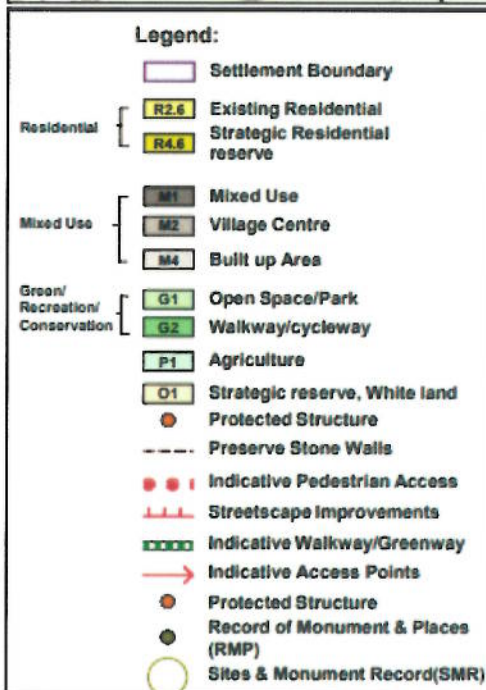
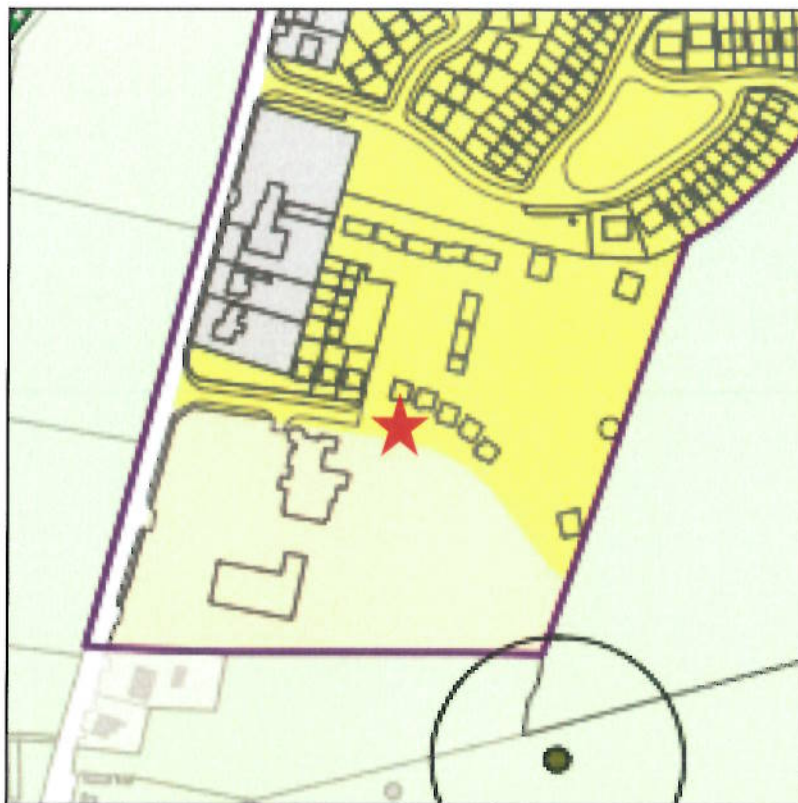


Figure 1.3 – Extract of *Draft Listowel Municipal District Local Area Plan 2019-2025*, Lixnaw Zoning Map and Legend [Cropped and Annotated by Tom Phillips + Associates, 2019.]



## 2.0 SITE LOCATION AND DESCRIPTION

The subject site comprises a partially completed housing development, known as “*St. Michael’s Green*”, at Ballinageragh, Lixnaw, Co. Kerry. Lixnaw is located, on the Regional Route R557 approximately 16 km north of Tralee, 10 km south-west of Listowel and to the west of the N69 national secondary road linking these settlements.

The subject site is approximately 1.5 km south of the village centre of Lixnaw and is accessed via a c. 180 m access road to the west of the site, which connects to the R557. The subject site contains several existing concrete slabs and housing unit foundations, as well as partially constructed site access roads and a playground facility. Three detached houses are substantially completed to the west of the subject site, as well as an additional 6 No. completed housing units, which are not currently occupied. These 9 No. units are to be refurbished for occupation shortly.

The surrounding area is generally characterised by farmland and associated agricultural buildings, with a small housing development, Slí Na Faiche, to the immediate north of the subject site. As well as servicing its rural hinterland, Lixnaw functions largely as a dormitory/commuter settlement for Tralee and Listowel and the No. 272 Bus Route connects the three settlements. Lixnaw has typical services that would be normally associated with a settlement of its size, including national schools, a church, post office, neighbourhood retail and childcare facilities.



Figure 2.0 - Aerial view of the subject site and surrounding context with indicative site location denoted with a red star.  
[Source: Bing Maps, annotated by Tom Phillips + Associates, 2019.]



### 3.0 PLANNING HISTORY

A number of previous planning applications for mixed-use development have been considered favourably by the Local Authority for the subject site, as well as in recent Pre-Application Consultation (PAC) discussions. This is demonstrated by the Parent Permission pertaining to the subject site dating from 2004 (KCC Reg. Ref. 04/1937), as amended by subsequent applications in 2005 (KCC Reg. Ref. 05/1745) and 2008 (KCC Reg. Ref. 08/1872).

The parent permission constituted the following development;

*“Permission for a mixed development of 68 no. residential units and service centre to include petrol filling station with convenience store, retail units and licensed Bar with Restaurant with Apartment and Lettable Accommodation within the Roofspace. The development comprises of 28 no. two-storey semi-detached dwellings, 28 no. two storey townhouses, 12 no. detached two storey houses, petrol filling station with underground petrol storage tanks and associated services, a single storey convenience store with integral storage and 1 no. single storey licensed bar with restaurant with associated sanitary facilities, kitchens, storage, staff facilities and 1 no. apartment and 9 no. lettable bedrooms with en-suite bathrooms together with ancillary roads, drainage infrastructure, parking areas, fencing, walls, general siteworks, temporary signage and landscaping.”*

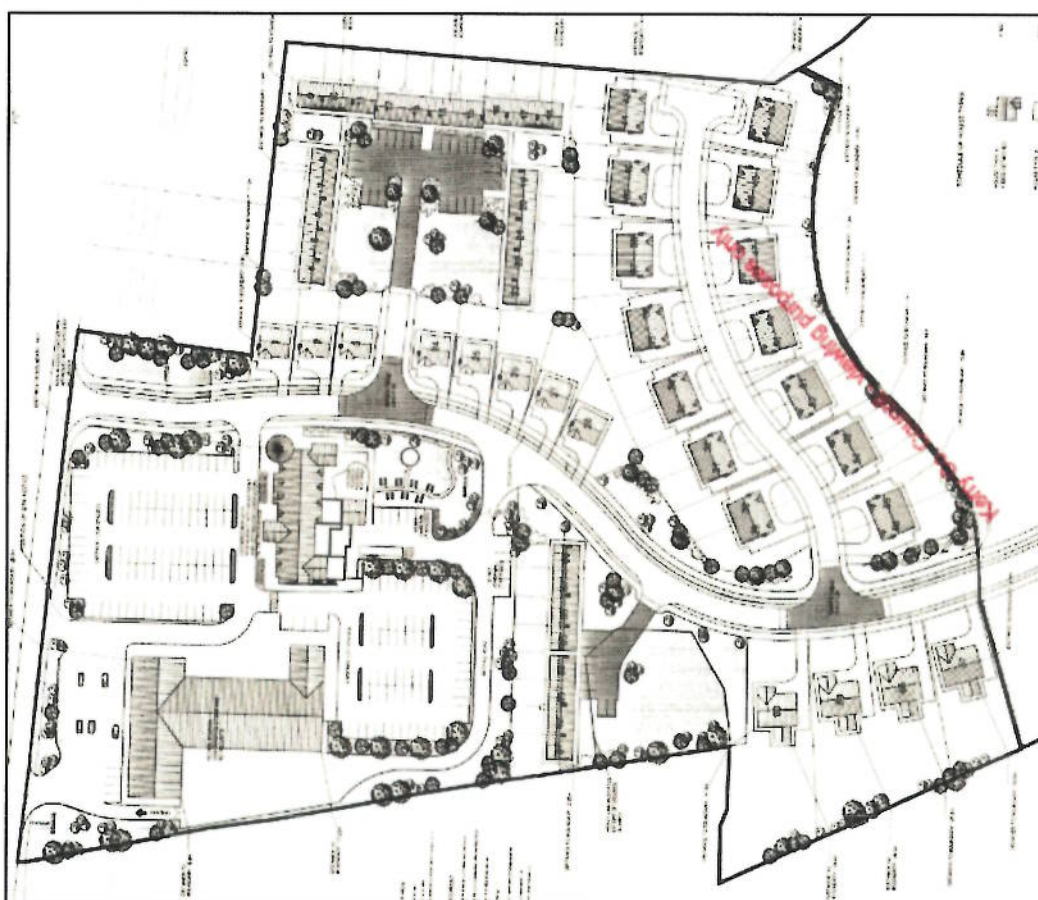


Figure 3.0 - Extract of *Site Layout Plan* drawing, prepared by Milligan Reside Larkin Ltd, project architects, 2004 (KCC Reg. Ref. 04/1937), [Cropped and annotated by Tom Phillips + Associates, 2019]



The subsequent amendments allowed for the expansion and reorganisation of the commercial elements of the proposed scheme in an eastward direction. This provided additional retail units and the repositioning the permitted crèche and playground.

#### 4.0 POLICY CONTEXT

##### ***National Planning Framework (Ireland 2040 – Our Plan)***

*The National Planning Framework (NPF)*, published in February 2018, sets out a strategic development framework for Ireland over the period to 2040. *The National Planning Framework* is the Government's plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.

The Framework focuses on:

- Growing regions, their cities, towns and villages and rural fabric.
- Building more accessible urban centres of scale.
- Better outcomes for communities and the environment, through more effective and coordinated planning, investment and delivery.

As a strategic development framework, the Plan sets the long-term context for Ireland's physical development and associated progress in economic, social and environmental terms and in an island, European and global context. Ireland 2040 will be followed and underpinned by supporting policies and actions at sectoral, regional and local levels.

Ireland 2040 targets a significant proportion of future development on infill/brownfield development sites within the built envelope of existing settlements. Under the heading of 'Compact Growth', the NPF is:

*'Targeting a greater proportion (40%) of future housing development to happen within and close to existing built-up areas. Making better use of under-utilised land, including 'infill' and 'brownfield' and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport'.*

Our proposed rezoning of the subject site to "Residential R1, R2" inherently accords with the policies outlined in the NPF, as the proposed scheme relates to an existing, partially developed housing estate in close proximity to the centre of Lixnaw Village.

##### ***Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)***

*Rebuilding Ireland* was launched in 2016 with the aim of addressing ongoing supply issues for residential accommodation in Ireland. The overarching aim of the Action Plan is to increase the delivery of housing from its current undersupply across all tenures and to help individuals and families meet their housing needs.





The Action Plan provides a target to double the number of residential dwellings delivered annually by the construction sector and to provide 47,000 social housing units in the period up to 2021. The importance of land supply and location is a central consideration of the Action Plan which states that:

*“Locating housing in the right place provides the opportunity for wider family and social networks to thrive, maximises access to employment opportunities and to services such as education, public transport, health and amenities, while also delivering on sustainability objectives related to efficiency in service delivery and investment provision.”*

The subject site is located on serviced lands, within walking distance of a range of amenities and services in Lixnaw Village and will deliver residential units in the coming years. The development is proximate to existing residential areas and employment opportunities, which is in line with the provisions of the Action Plan. The completion of this residential development would constitute a viable alternative to rural housing provision.

***Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) – Guidelines for Planning Authorities (2009)***

*The Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, 2009* and its associated document *Urban Design Manual – A Best Practice Guide, 2009* illustrate essential criteria for sustainable residential development and describes how a scheme can integrate seamlessly into a site, having regard to its surroundings and thus presenting the best possible residential design scheme.

Smaller towns and villages are a very important part of Ireland’s identity and the distinctiveness and economy of its regions. Smaller towns and villages are defined in the *Guidelines* as those with a population ranging from 400 to 5,000 persons.

The subject site inherently accords with these *Guidelines*, as subject site has the benefit of a previously permitted scheme which is plan led and contributes to the compact growth of Lixnaw. The scale of subject site and the number of potential residential units to be delivered is in proportion with the pattern and grain of the existing settlement.

***Draft Regional Spatial and Economic Strategy (RSES) for The Southern Region (2018)***

Arising under the *Local Government Reform Act 2014*, the Southern Regional Assembly is responsible for preparing a *Regional Spatial and Economic Strategy (RSES)* for the Southern Region. Each of the three Regional Assemblies have prepared their own RSES which will provide a long-term regional level strategic planning and economic framework in support of the implementation of the *National Planning Framework*.

The Southern Regional Assembly has prepared a *Draft RSES* for the Southern Region covering 2019-2031. The *Draft RSES* provides a long-term regional level strategic planning and economic framework, to support the implementation of the *National Planning Framework*, for the future physical, economic and social developments for the Southern Region.

The Southern Regional Assembly published the *Draft Regional Spatial and Economic Strategy for The Southern Region* in December 2018. This followed formal *Pre-Draft RSES* consultation and engagement with the public, stakeholders, government departments and local authorities that informed the formulation of the *Draft RSES*. The *Draft RSES* itself was the subject of public consultation from December 2018 until March 2019 and during this time, the Regional Assembly engaged in extensive consultation, including online, local media, public meetings and events. The submissions received were considered by the Assembly at its May 2019 meeting and it was agreed to adopt the *RSES* subject to amendments. It was deemed that a number of amendments were material and as such, would require further public display in accordance with the requirements of Section 24(8) of the *Planning and Development Acts 2000-2018* and it was determined that SEA and AA were required in relation to these amendments. Consultation on this process recently closed in mid-October 2019.

The Strategy highlights the role of employment in the Region. Towns with a critical population mass (for example Ennis, Tralee) are important generators of economic activity, have a large sphere of influence and have been thus been identified as *Key Towns* in the Strategy. Lixnaw is within this '*sphere of influence*' as it is within close commuting distance of Tralee. The proposed rezoning and appropriate settlement boundary extension would assist in the wider aim for reinforcement of nearby Tralee as a *Key Town* and economic driver in the west of the Assembly area. In addition, Listowel is also within close commuting distance of Lixnaw, which is also noted as an important town for economic enhancement in the west.

#### ***Kerry County Development Plan 2015 – 2021***

*The Development Plan* is an important framework document assisting in the economic recovery and sustainable growth of the County, enhancing the attractiveness of the County as a place in which to live, work, invest and enjoy; and supporting national policy and legislation in an integrated manner. The *Plan* has seven main goals for the future development of the County and the policies and objectives in the *Plan*. Goal No. 4 states that it is an objective of Kerry County Council to;

*“To promote the creation of attractive vibrant settlements that provide a high quality of life for our citizens.”*

*The Housing Strategy* within the *Plan* has been partly informed by the *Unfinished Housing Estates Survey 2011*. A survey of unfinished housing developments in Ireland was conducted over the summer of 2011, updating previous survey material from 2010. In order to get a more accurate picture of what the situation in County Kerry was, the survey was further analysed by organising each estate into one of the housing market areas. The survey recorded the fundamental characteristics of the estate, as it appeared at the time of the survey, i.e. how many units are complete, vacant, at some level of construction and also the number of units that have not commenced.

The units of most relevance to this strategy are those which are fully constructed but vacant as these units can reasonably be expected to contribute to the overall housing supply in a settlement. The subject site appears on this list (Listed as “*St. Michaels Green, Lixnaw,*” Department Ref. 1,309.00)



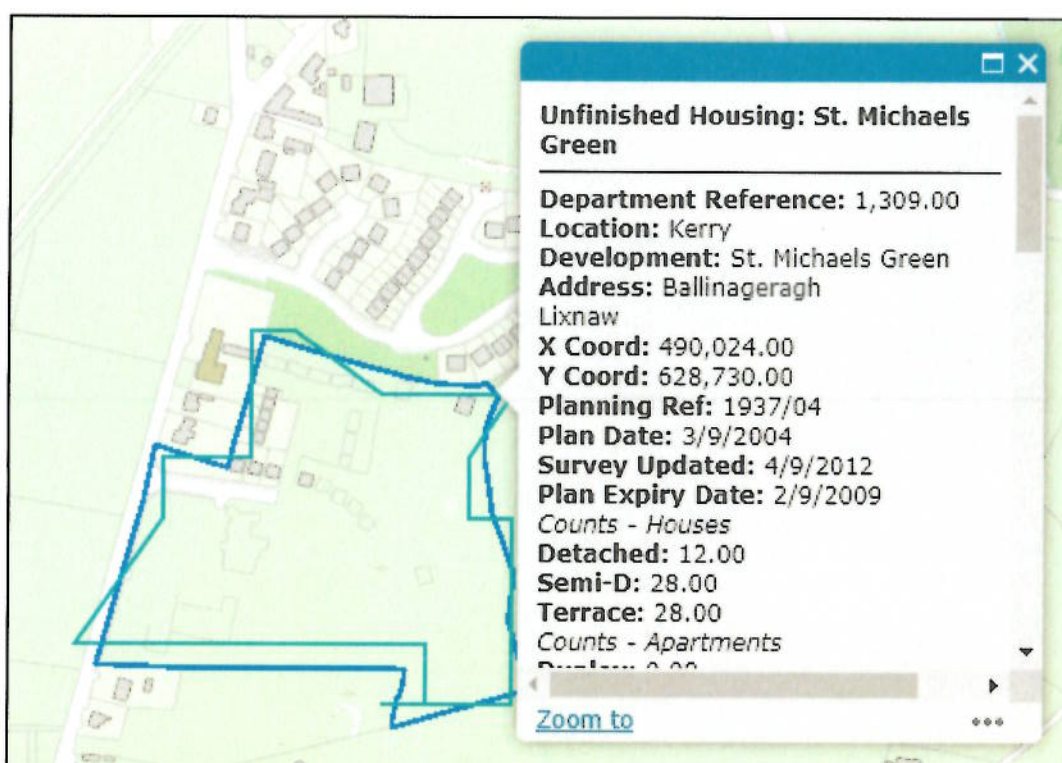


Figure 4.0 – Extract of *Unfinished Housing Estates Survey 2011*, Source: [www.myplan.ie](http://www.myplan.ie) [Cropped and annotated by Tom Phillips + Associates, 2019]

Chapter No. 13 of the *Development Plan* sets out the development management standards and guidelines for the County. The proposed rezoning of this subject site to Residential and the appropriate extension of the settlement boundary would inherently comply with these guidelines and standards (for example car parking, services, drainage, environmental standards, children’s playground, apartment design, landscaping standards and guidelines.)

#### ***Current Local Area Plan - Tralee/Killarney HUB Functional Area Local Area Plan 2013 – 2019***

The *Kerry County Development Plan 2009-2015* contained the strategy for the preparation of Local Area Plans, which divides the County into functional areas based on their strategic role and service provision for their hinterlands. The *Tralee/Killarney Hub* was designated under the former *National Spatial Strategy (2002)*. The Local Area Plan is consistent with the Core Strategy and objectives of the now expired *Kerry County Development Plan 2009 - 2015*.

The *Local Area Plan* for Lixnaw outlines the recent growth of the village and recent residential development;

*“The village experienced significant residential growth during recent years. While there is already level of service provision within the village, other services and facilities will be required if the character of the village is to be maintained. It is an objective of the plan to encourage the development of a compact and sustainable village structure by ensuring that new development is contiguous with existing development and makes effective use of backland and infill sites.”* [Our Emphasis]



In addition, the Plan explicitly references the subject site, and its unfinished status;

***“The National survey of ongoing housing developments conducted by the DoECLG concluded that there are two unfinished/derelict estates in the town. These estates contain a number of dwellings that are complete/vacant, or at various levels of completion. It is the policy of Kerry County Council to seek a resolution plan for the estates which may result in the demolition of some of the existing partially constructed buildings.”*** [Our Emphasis]

The Development Strategy for Lixnaw states that

***“The overall vision for Lixnaw is to ensure that it develops sustainably as an attractive location for residents and that future development preserves the village’s character and reinforces it where necessary. The overall development strategy is to revitalise the village as an attractive settlement which will support a range of services and amenities and make the village an attractive location in which to settle, and to enhance its urban form, while preserving its character and heritage.”*** [Our Emphasis]

The completion of this partially constructed housing estate will directly assist in the realisation of this Development Strategy, which explicitly states the following as an objective

***“Seek the completion of all existing residential and mixed-use developments in a sustainable manner.”***

As previously outlined, the majority of the subject site is not explicitly zoned under this iteration of the Plan, however a portion of the site is zoned as “Mixed-Use” (denoted in light blue in Figure 1.2.) Section 1.5.2 of the Plan defines this zoning use as;

***“Mixed use zoning is intended to cater for a mix of uses outside of the town centre including local shops, petrol stations, offices, visitor accommodation and other commercial uses that are acceptable outside the town centre. Development on such sites shall not detract from the vitality and viability of the town centre. Small scale retail uses are acceptable on these sites in the form of local neighbourhood shops with a gross floor area of not more than 100 sq m. Any residential development on these sites shall be secondary to the primary commercial/retail use.”*** [Our Emphasis]

#### ***Proposed Local Area Plan - Draft Listowel Municipal District Local Area Plan 2019-2025***

The Draft Local Area Plan has been prepared for the Listowel Municipal District in accordance with the requirements and provisions of the Planning and Development Act 2000, as amended. The purpose of the Draft Plan is to set out a comprehensive local planning framework with clear policies and objectives including land use zoning in the interests of the common good for the towns and villages of the Municipal District, with the exception of Listowel town.

The Draft Plan has been prepared while being cognisant of Project Ireland 2040, National Planning Framework, Regional Planning Guidelines for the South West 2010-2022, the Draft Regional Spatial and Economic Strategy for the Southern Region, the Kerry County Development Plan 2015-2021 and Listowel Town Development Plan 2009-2015 (as extended), which are outlined in greater detail above.



The *Municipal District Local Area Plan* will complete the planning framework for the area and complement the implementation of the policies and objectives contained in these higher level plans.

The vision for Lixnaw in the *Draft Plan* is the retention and improvement of local services and facilities to serve the village and surrounding rural areas, to encourage consolidation of the village settlement and to ensure that it fulfils its role as the primary focus for the development of the surrounding rural areas.

The *Draft Plan* notes that it is important that Lixnaw increases its population and continues to provide for the services needs of its residents and those in its rural catchment area. To secure this and to position the village for sustainable growth, the objectives of this *Draft Plan* seek to maintain existing service levels and preserve opportunities to create a compact and attractive village form, into which future development can integrate in a coherent and sustainable manner.

The *Draft Plan* outlines that Lixnaw has been one of the fastest growing settlements in the County;

*“The population of the village increased by 61.5% from 431 in 2006 to 696 in 2016. The pace of growth has slowed recently with the population increase from 634 in 2011 to 696 in 2016, measuring 9.8%. The settlement is also located within the ED of Lixnaw which recorded a population of 1,016 in 2011 and 1,050 in 2016, an increase of 3.3%.*

*The large number of dwellings constructed over the last decade in the village is reflected in the increase in population. The village has adequate lands (including backlands) within its boundary to accommodate additional residential development should it be required in the future.*

*Suitable located lands have been as strategic residential reserve, R4 and village centre M2 to ensure that the longer-term residential needs of the village can be met.*

*The development of these lands is dependent on the availability of adequate waste water infrastructure. Infill development that helps to consolidate the village form, and provide for a more sustainable living model will be encouraged. **A mix of dwelling types and sizes will be required in any future residential development to cater for various household sizes, differing housing needs and life stages.**” [Our Emphasis]*

Policy Objective LW-GO-06 of the *Draft Plan* states that it is an objective of the Council to;

***“Seek the completion/redevelopment of the existing incomplete residential development.”***

Much of the subject site is proposed to be zoned as “R2.6 Existing Residential” (denoted in Figure 1.3 in yellow.) We note that there is a proposed change to the zoning designations pertaining to the southern portion of the subject site in the *Draft Plan* from “Mixed-Use” to “O1 – Strategic Reserve.”





The “Strategic Reserve” zoning designation is explained in the Draft Plan as;

*“In a number of settlements some land has been zoned under the category of O1, Strategic reserve, White land. This is to cater for those cases where land is zoned for development at some time in the future but no objectives or specific controls are indicated at present...*

*This is the final category which is only used if a zone did not fit comfortably into any of the other categories, sub-categories or sub-sub categories. This category includes Strategic Reserve, white land (O1)...*

*Any plans or proposals for the development of O1 Strategic Reserve White land to be compatible with Nature Conservation designations and Flood Risk Management plans for the area.”*

Due to the nature of this proposed zoning designation, it does not appear in the zoning matrix in the *Draft Plan*, so the status of permissible uses on this portion of the site is not certain, in spite of its partially constructed nature. The principle of completing this unfinished housing estate however, is well established elsewhere in the *Draft Plan*, and the principle of completing residential development at this location has been discussed in Pre-Application Consultation Meetings with Kerry County Council.

## 5.0 RATIONALE FOR REZONING OF LANDS

The Department of the Environment, Heritage and Local Government’s *Development Plan Guidelines* (DoEHLG, 2007) outline the criteria for assessment of lands suitable for development within the zoning process. These include the following:

- 1) Need;
- 2) Policy Context;
- 3) Capacity of Water, Drainage and Roads Infrastructure;
- 4) Supporting Infrastructure and Facilities;
- 5) Physical Suitability;
- 6) Sequential Approach and
- 7) Environmental and Heritage Policy, including conservation of habitats and other sensitive areas.





## **ASSESSMENT**

### **1) Need for Additional Residential Units**

It is noted in the *Draft Local Area Plan* that commercial development is to be focused on the Lixnaw Village Centre, which might explain why the lands at the subject site have been rezoned for “*Strategic Reserve*.”

However, it is also noted that the Draft Plan makes allowances for the promotion of completion of existing, unfinished housing estates (*Objective LW-GO-06*, as outlined above.) It is submitted that the rezoning of the subject lands for residential development will positively contribute to addressing the housing needs of the area, while also completing a partially constructed housing estate.

### **2) Positive Policy Context**

The rezoning of the subject lands for residential development and the appropriate extension of the *Lixnaw Settlement Boundary* are consistent with policies at national, regional and local level, regarding the provision of residential accommodation in existing built up areas, as outlined above, and are in keeping with the proper planning and sustainable development of the area.

### **3) Upgraded Capacity of Water, Drainage and Roads Infrastructure**

Lixnaw is currently served by a wastewater treatment plant, which only provides primary treatment of wastewater and is not large enough to treat all the wastewater from the village. Construction work has however recently begun on an Integrated Constructed Wetland system for the Village, which was granted planning permission in February 2018. This system will have the capacity to treat the wastewater from a population equivalent of 1,200 people. This would cater for the existing population, as well as the projected future growth of the community, while also delivering significant environmental benefits.

The subject site is accessed via an existing c. 180 m access road to the west of the site, which connects to the R557. It is envisaged that road infrastructure upgrade is not required to enable development at this location, rather just completion of the partially constructed internal access road.

### **4) Presence of Sufficient Supporting Infrastructure and Facilities**

As outlined above, the subject site is approximately 1.5 km south of the village centre of Lixnaw. As well as servicing its rural hinterland, Lixnaw functions largely as a dormitory/commuter settlement for Tralee and Listowel and the No. 272 Bus Route connects the three settlements. Lixnaw has typical services that would be normally associated with a settlement of its size, including national schools, a church, a post office, neighbourhood retail and childcare facilities. Scoil Mhuire De Lourdes Boys National School immediately adjoins the subject site to the north-west.

Rezoning and subsequent completion of development of the subject lands can provide the critical mass of population that may be required to support and justify the development of additional, important support infrastructure and facilities such as playing fields and retail units.

### **5) Physical Suitability of Subject Lands**

The subject lands do not suffer from any physical limitations that may prevent their development for residential accommodation, subject to the usual development management provisions. No fluvial or pluvial food risk areas are identified within or immediately adjacent the subject site by the Office of Public Works, as shown in Figure 5.0 below.

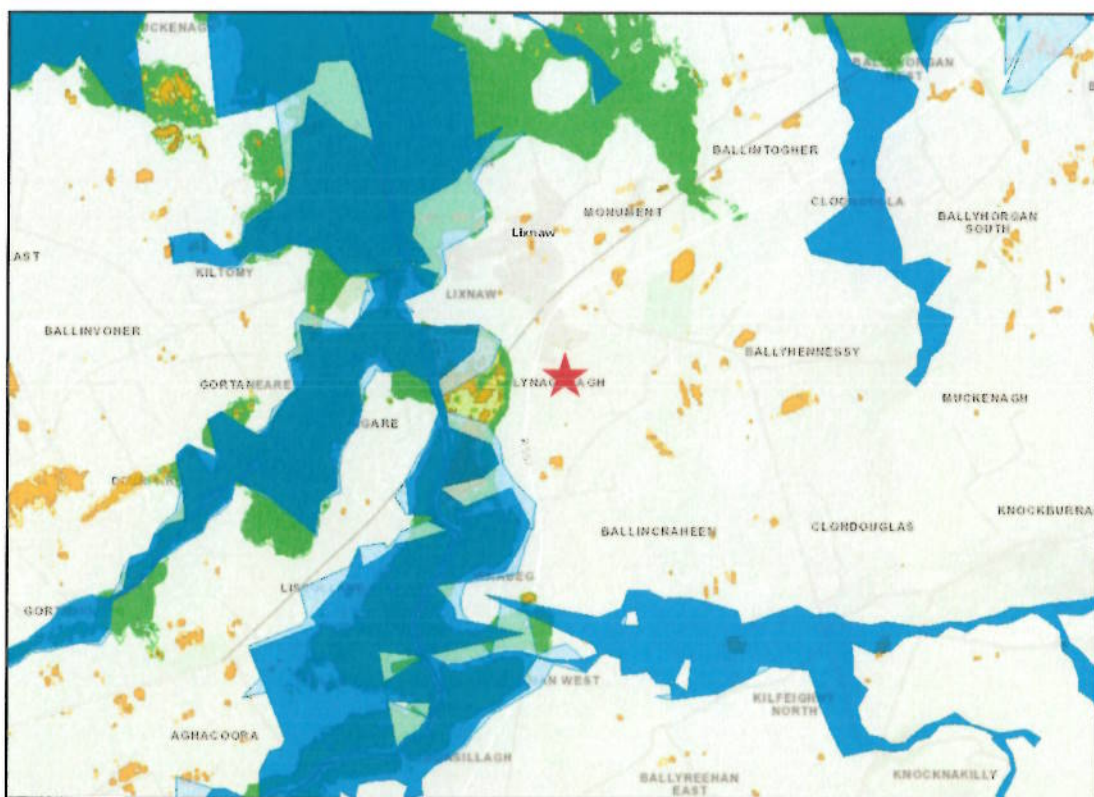


Figure 5.0 - Flood zones mapping, with indicative site location denoted with a red star. (Source: Myplan.ie, as annotated by Tom Phillips + Associates, 2019).

### **6) Logical Extension of Residential Development through Sequential Approach**

It is submitted to the Planning Authority that the subject lands are appropriate to provide for residential development, as a logical extension of recent pattern of development in the area. The principle of residential development at this location has already been assessed and established through the granting of previous planning permissions and their partial implementation.



### 7) Absence of Physical, Heritage or Environmental Constraints

It is noted that the subject site is neither zoned specifically as 'Open Space/Amenity', nor does it contain any designated areas as indicated in the *Draft Plan*. One heritage feature has been identified (RMP Reg. Ref. KE016-034) on lands adjoining the subject site and its associated *Zone of Notification* extends slightly within the boundary of the subject site. This feature is described as;

*"This site is marked on the 1841-42 OS map as a circular enclosure, and is marked on the 1914-15 map, though not as clearly. Today it has been much levelled and is barely perceptible above the ground. It survives as a raised area, c .4m above the surrounding land. The internal diameter is 20m E-W."*

This significance of this feature would have been assessed under the parent permission and subsequent amending permissions. Should a new planning application be lodged for the site to enable completion of the partially constructed housing estate, the significance of this would again be assessed and monitored, if required. As such, this does not represent a constraint to any future development of the lands. Therefore, it can be inferred that the subject site is not of specific amenity, visual or environmental value, *per se*, that would mitigate against its development for residential purposes.

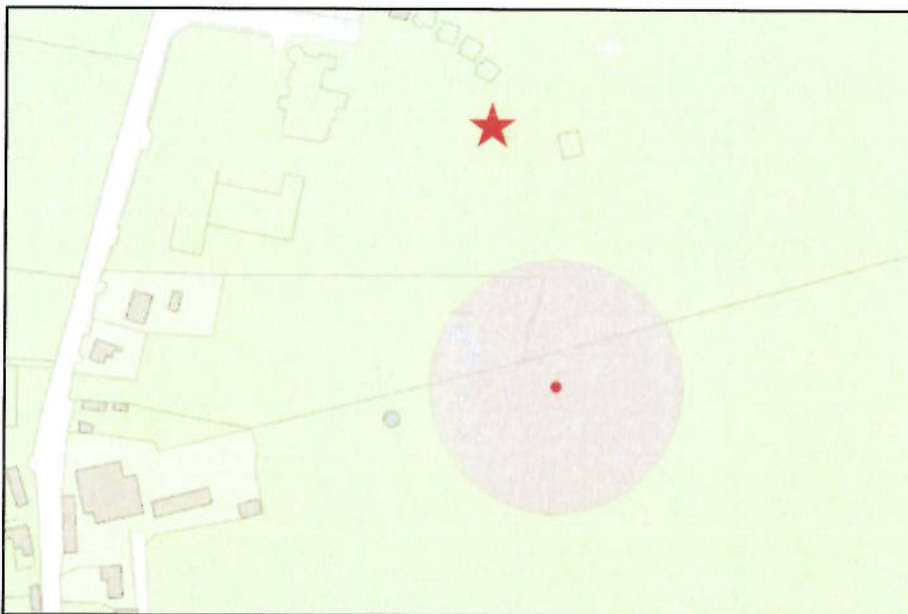


Figure 5.1 - RMP Mapping, including zone of protection, with indicative site location denoted with a red star. (Source: Myplan.ie, as annotated by Tom Phillips + Associates, 2019).



## 6.0 CONCLUSION

Tom Phillips + Associates have reviewed the *Draft Plan* and, having regard to the existing development in the local area propose the appropriate rezoning of the subject lands and the suitable extension of the Lixnaw Settlement Boundary, as outlined above, in the interest of the proper planning and sustainable development of the area. The subject lands comprise an important, well-located and serviced site, appropriate for residential development. The proposed zoning designation and settlement boundary are neither a suitable nor logical parcelling of the lands and does not reflect the well-serviced nature of the site. This may frustrate any future applications to complete development at this location, as it would be outside of the formal settlement boundary.

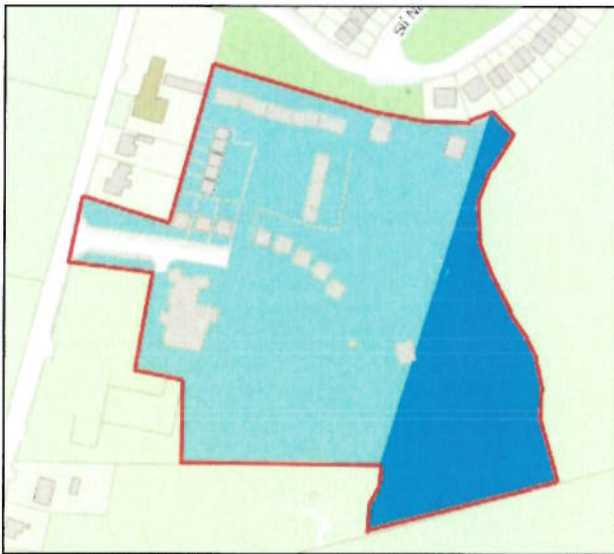
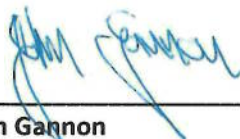


Figure 6.0 – Indicative summary of proposed rezoning submission. The area in light blue is to be rezoned to 'Residential' to enable completion of residential development at this location. The settlement boundary and residential zoning is proposed to be extended to include the area denoted above in dark blue for the completion of residential development Indicative Site Boundary in Red, which is the red line boundary of the previously permitted and partially constructed mixed-use scheme [Source: MyPlan.ie, Annotated by Tom Phillips + Associates, 2019.]

We submit that the rezoning of the subject lands to a combination of "R1 - New/Proposed Residential" and "R2 - Existing Residential," would facilitate the balanced future growth of Lixnaw. It is submitted that the subject lands are suitable to provide for sustainable residential development, which would support the enhancement and augmentation of facilities and services available in the wider area and accommodate the increasing population of Lixnaw.

In closing, it is respectfully requested that the Planning Authority consider this submission for the reasons outlined above.

Kind regards,

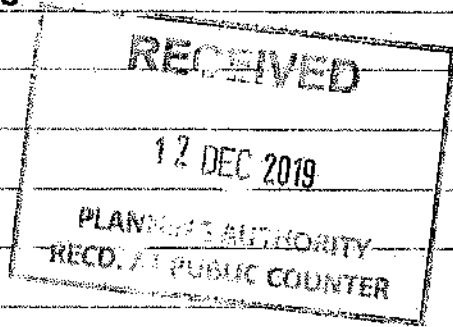


John Gannon  
Director  
Tom Phillips + Associates

SENIOR PLANNER  
PLANNING POLICY UNIT  
PLANNING DEPARTMENT  
KERRY COUNTY COUNCIL  
COUNTY BUILDINGS  
RATHES  
TRALEE  
CO. KERRY.



LISTOWEL  
CO. KERRY



12/12/19

DEAR SIR,

DRAFT LISTOWEL MUNICIPAL DISTRICT LOCAL AREA PLAN

ON READING THE ABOVE DOCUMENT WE HAVE NOTICED THAT ON PAGE 26, MAP 1, "TOBINS FIELD" IS PROPOSED FOR CHANGE OF USE TO RESIDENTIAL USE. THE ONLY ACCESS TO THIS FIELD APPEARS TO BE THROUGH KENNY HEIGHTS ESTATE. AS RESIDENTS OF KENNY HEIGHTS WE STRONGLY OBJECT TO THIS PROPOSAL AS THE SERVICE ROAD FROM THE MAIN ROAD THROUGH KENNY HEIGHTS IS NOT SUITABLE TO CARRY ANY MORE TRAFFIC THAN IT NOW CARRIES. IT IS ALSO A NARROW ROAD WHICH MEANS THAT THE GREEN AREA AT THE REAR OF THE ESTATE WOULD HAVE TO BE SACRIFICED TO CATER FOR PLANT + TRANSPORT AS WELL AS FOR A CONSIDERABLE AMOUNT OF CARS, VANS, WASTE DISPOSAL TRUCKS AND VARIOUS OTHER LARGE GOODS VEHICLES IF DEVELOPMENT WERE TO TAKE PLACE.

AS "TOBINS FIELD" IS PART OF A VERY STEEP VALLEY THROUGH WHICH A STREAM FLOWS INTO THE RIVER FEARIE IT WOULD TAKE AN ENORMOUS AMOUNT OF SITE WORK TO LEVEL THE GROUND AND BEING IN THE UTILITIES BEFORE DEVELOPMENT COULD COMMENCE.

THE ENTRANCE AND EXIT TO AND FROM KENNY HEIGHTS




AND GOLF VIEW FROM THE N69 IS ALREADY DANGEROUS AS VISIBILITY AT THE TIM KENNELLY ROUNDABOUT IS NOT GOOD WHEN APPROACHING ON THE N69 FROM LISTOWEL. WHEN EXITING KENNY HEIGHTS + GOLF VIEW ON TO THE ROUNDABOUT VEHICLES APPROACHING FROM LOWER DROMIN ON THE N69 LARGELY SLOW DOWN AND A SERIOUS ACCIDENT IS WAITING TO HAPPEN. TRAFFIC FROM THE JOHN B. KEANE ROAD HEADING FOR LISTOWEL ON THE N69 CANNOT BE SEEN UNTIL IT IS NEARLY AT THE KENNY HEIGHTS / GOLF VIEW EXIT / ENTRANCE. THIS TRAFFIC DANGER ALREADY CAUSES GREAT CONCERN TO MANY OF OUR FELLOW RESIDENTS.

WE THINK IT ALSO WORTH MENTIONING THAT KENNY HEIGHTS ESTATE IS A REASONABLY SECLUDED AREA FOR WHICH A HIGH PREMIUM WAS PAID BY ITS RESIDENTS TO LIVE HERE. UPKEEP OF THE ESTATE, OUTSIDE OF THE UTILITIES, IS MAINLY CARRIED OUT BY THE RESIDENTS ON A VOLUNTARY BASIS. SHOULD THE CHARACTER OF THE AREA BE CHANGED WE ARE SURE MOST PEOPLE WOULD BE DISCOURAGED FROM MAINTAINING THE ESTATE'S HIGH STANDARD OF MAINTENANCE WHICH HAS BEEN ACHIEVED AND IS ACKNOWLEDGED BY THE TIDY TOWNS AND OTHER ENVIRONMENT COMMENTATORS.

YOURS FAITHFULLY,

Debra Barnody

M. J. G. 

FAO : Senior Planner,  
Policy Planning Unit,  
Planning Department,  
Kerry County Council,  
County Buildings,  
Rathass ,  
Tralee.

A demographic and socio-economic profile, which North East and West Kerry Development (NEWKD) undertook in 2018 with Dr Brendan O Keefe, noted that "peripheral parts of North Kerry are suffering the effects of consistent demographic weaknesses, economic underperformance and population decline associated with service depletion and an ageing of the population characterise these areas"

The study also highlights that the Listowel Municipal region has a number of areas with high levels of disadvantage as measured using the government's own Pobal index and maps

The Pobal maps also show a number of neighbourhoods that emerge as being 'disadvantaged' or 'very disadvantaged.' In rural North Kerry, these include:

- Lyreacrumpane
- Abbeydorney Village (and its southern flank)
- Kealid and Lissaniska (Moyvane)
- Tarbert and the adjoining townlands of Carhoonakineely, Coolinanoonagh, Kilcolgan Lower, Kilcolgan Upper, Kilpaddoge, Ralappane and Reenturk
- Carrigafoyle, Gortard, Martara and Rusheen near Ballylongford.
- Beenameelane, Dromloughra, Dromurrin and Gortacrossane west of Listowel.

Parts of areas such as Ballyduff, Causeway, Lixnaw and Tarbert also exhibited increased levels of deprivation in the period between 2006 and 2016 Censi.

NEWKD suggest that these realities need to be recognised and addressed in the development of the Listowel Municipal plan if the area is to achieve the objectives outlined and to create a sustainable and socially cohesive community.

I attached the report for your consideration.

Regards

Robert Carey





Senior Planner,  
Planning Section,  
Kerry County Council,  
County Buildings,  
Rathass,  
Tralee.

13<sup>th</sup> December 2019

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**RE: Proposed Draft Listowel Municipal District LAP 2019 – 2025 and Variation no. 3 to Listowel Town Development Plan 2009 - 2015**

Dear Sir,

Thank you for the opportunity to comment on the proposed Draft Listowel Municipal District Local Area Plan 2019 - 2023 and Variation no. 3 to Listowel Town Development Plan 2009 - 2015.

Please find attached a table with details of current overall water/wastewater capacity/availability in the settlements located within the Listowel Municipal District.

Please note that in the Draft Listowel MD LAP, Section 3.1.2 (Page 50), reference is made to the need to upgrade the WWTP in Tarbert. Irish Water can confirm that there is capacity available in the Tarbert WWTP to facilitate growth as per the Draft LAP. Similarly, Section 3.5 (Page 78) makes reference to the design capacity of the Ballylongford WWTP of 260pe. Irish Water can confirm that the design capacity of the Ballylongford WWTP is 1,000pe therefore capacity is available for growth, (however network constraints do exist in Ballylongford as outlined in the enclosed table).

In addition to ongoing and planned water services projects it is possible that further projects will be identified under the following initiatives:

- Irish Water is preparing for the future by developing the National Water Resources Plan (NWRP). The strategic plan for water services will outline how we move towards a sustainable, secure and reliable public drinking water supply over the next 25 years, whilst safeguarding our environment. The NWRP will outline how Irish Water intends to maintain the balance between our supply from water sources around the country and demand for drinking water over the short, medium and long-term. This will allow us to prepare for the future and ensure that we can provide enough safe, clean drinking water to facilitate the social and economic growth of our country. A statutory public consultation will be launched in 2020 seeking feedback on the

draft National Water Resources Plan and associated draft SEA Environmental Report and draft Natura Impact Statement.

- Drainage Area Plans (DAPs) for the wastewater networks in Listowel town and Ballylongford town are progressing, and are currently at Stage 2 (Survey and Model Build).

Finally, we would like to draw your attention to Irish Water's Menu of Policies for Development Plans, which outlines a list of appropriate policies/objectives for Water Services which we would like to see included in Development Plans/Local Area Plans. This menu is enclosed for reference.

Irish Water is available for discussion in relation to the future sustainable development of the area and any other issues with respect to the provision of water services within our remit.

Yours Sincerely,



---

**Suzanne Dempsey**  
Spatial Planning Strategy Lead

Encl:

- 19\_IW\_FP\_60\_Draft Listowel MD LAP\_IW submission\_Overall comments on capacity
- IW\_Menu of Policies for Development Plans



Draft Listowel Municipal District Local Area Plan - December 2019

Draft summary sheet from Irish Water on water and wastewater capacity in relevant settlements. Note capacity details are subject to change.

Settlement	Settlement Hierarchy	Municipal District	2016 CSO	Wastewater comment/capacity:	Water comment/capacity:
Listowel	Regional town	Listowel	4,820	Design capacity of WWTP is 12,500pe. Capacity available. In relation to the wastewater network, a Drainage Area Plan (DAP) is progressing to assess the existing capacity/condition of the network and identify if any upgrades are necessary.	Capacity available in Water Resource Zone.
Ballybunion	District town	Listowel	1,413	Design capacity of WWTP is 8,000pe. Capacity available	Capacity available in Water Resource Zone
Ballyheigue	District town	Listowel	724	Design capacity of WWTP is 4,250pe. Capacity available.	Capacity available in Water Resource Zone
Ballylongford	District town	Listowel	391	Design capacity of WWTP is 1,000pe. So capacity is available at the WWTP. However, in relation to the wastewater network, a Drainage Area Plan (DAP) is progressing to assess the existing capacity/condition of the network. The DAP is still in progress but current indications are that the wastewater network is constrained and upgrades will be required. IW will have a limited budget available to upgrade the network and priority will be given to the resolution of environmental issues ahead of upsizing the network for growth.	Capacity available in Water Resource Zone
Tarbert	District town	Listowel	540	Design capacity of WWTP is 1,300pe. Capacity available.	Capacity available in Water Resource Zone
Abbeystowney	Village	Listowel	418	Design capacity of WWTP is 350pe. No capacity available in WWTP. There are also constraints in the wastewater network which would need upgrades before development can progress. Due to funding constraints, no IW plans for upgrades of the WWTP or network at this time.	Capacity available in Water Resource Zone
Ballyduff	Village	Listowel	517	Design capacity of WWTP is 300pe. No capacity available. There are also constraints in the wastewater network which would need upgrades before development can progress. Due to funding constraints, no IW plans for upgrades of the WWTP or network at this time.	Capacity available in Water Resource Zone
Causeway	Village	Listowel	257	Design capacity of WWTP is 250pe. no capacity available. Due to funding constraints, no IW plans for upgrades at this time.	Capacity available in Water Resource Zone
Dungh	Village	Listowel	222	Design capacity of WWTP is 250pe. no capacity available. Due to funding constraints, no IW plans for upgrades at this time.	Capacity available in Water Resource Zone
Killyhinn	Village	Listowel	151	Design capacity of WWTP is 150pe, no capacity available. There are also constraints in the wastewater network which would need upgrades before development can progress. Due to funding constraints, no IW plans for upgrades of the WWTP or network at this time.	Capacity available in Water Resource Zone
Lisnaw	Village	Listowel	696	Project progressing - Integrated Constructed Wetland - design capacity of 1,200pe - capacity available in WWTP once this is completed. However, there are constraints in the wastewater network which will need upgrades before development can progress - IW has no current plans for upgrades of the network.	Capacity available in Water Resource Zone
Moyvane	Village	Listowel	381	Design capacity of WWTP is 450pe. Some limited capacity available. However, there are constraints in the wastewater network which will need upgrades before development can progress - IW has no current plans for upgrades of the network or WWTP.	Capacity available in Water Resource Zone

## Menu of appropriate Objectives/Policies for Water Services in Development Plans

### General Policies in relation to Water Services

- a) To work closely with Irish Water to identify and facilitate the timely delivery of the water services required to realize the development objectives of this plan;
- b) To consult with Irish Water in the development of Plans, SDZs, etc in order to ensure the proposed spatial strategy takes account of:
  - the available capacity of the public water services infrastructure;
  - the need to protect and optimise existing and planned public water services infrastructure;
  - the need for sequential and phased development;
  - the financial and environmental implications of development in sensitive areas.
- c) Prior to granting planning permission the Council will ensure that adequate water services will be available to service development and that existing water services are not negatively impacted. Council should require developers to provide evidence of consultation with Irish Water prior to applying for planning permission;
- d) To protect existing wayleaves and buffer zones around public water services infrastructure through appropriate zoning and to facilitate the provision of appropriate sites for required water services infrastructure as necessary;

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### Water Supply

- e) To protect both ground and surface water resources including taking account of the impacts of climate change, and to support Irish Water in the development and implementation of Drinking Water Safety Plans and the National Water Resources Plan;
- f) To promote water conservation and demand management measures among all water users, and to support Irish Water in implementing water conservation measures such as leakage reduction and network improvements.

### Wastewater Services

- g) To ensure that the Local Authority provides adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure;
- h) To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate in new development and the public realm;
- i) To prohibit the discharge of additional surface water to combined (foul and surface water) sewers in order to maximise the capacity of existing collection systems for foul water;



- j) To support Irish Water in the promotion of effective management of trade discharges to sewers in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works;
- k) To ensure that all new developments connect to the public wastewater infrastructure, where available, and to encourage existing developments that are in close proximity to a public sewer to connect to that sewer. These will be subject to a connection agreement with Irish Water;
- l) To refuse residential development that requires the provision of private waste water treatment facilities (i.e. Developer Provided Infrastructure), other than single house systems;
- m) The provision of single house septic tanks and treatment plants in the Plan area will be strongly discouraged to minimise the risk of groundwater pollution. Where such facilities are permitted, full compliance with the prevailing regulations and standards, including the EPA's Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (EPA 2009), as may be amended, will be required;
- n) To ensure that private wastewater treatment facilities, where permitted, are operated in compliance with their wastewater discharge license, in order to protect water quality.

**Note:** As per Section 5.3 of the Draft Water Services Guidelines for Planning Authorities, *Alternative solutions such as private wells or waste water treatment plants should not generally be considered by planning authorities. Irish Water will not retrospectively take over responsibility for developer provided treatment facilities or associated networks, unless agreed in advance.* The opportunity may arise for the development to connect into the network in the future however, the developer provided treatment facility would not be taken over.

## **Asdee Development Submission for Listowel Municipal District Area Plan 2019-2025**

### **Introduction**

Asdee Development Association welcomes the opportunity to input into the drafting of the forthcoming Listowel Municipal District Area Plan. We look forward to consultation with Kerry County Council during the formal consultation period and to working with the local authority subsequently to give effect to a plan that will benefit the entire municipal district. Our submission focuses on our catchment area, which is the parish of Asdee. That said, we are conscious of the importance of the plan delivering for the entire municipal district, and we are committed to working with all communities across.

We confidently put forward a series of observations and recommendations, which are based on very extensive consultations, and which command very strong local support. Our consultation process began in June 2019 and is on-going. We are approaching the final stage in what has been a very intensive, inclusive and comprehensive community planning process. Our members have called to every house in the parish to elicit local citizens' views and recommendations. We have convened four public meetings and completed three relevant surveys. These data, together with the proposals that emerged during the community planning process ensure that our submission is strongly evidence-based, widely-supported and visionary.

### **The Evidence Base**

In developing the evidence base for our proposals, we have drawn on Census of Population data. These show that Asdee has been experiencing considerable population decline over recent decades. Consequently, we have an ageing population. Therefore, in the first instance, it is essential that we plan for the provision of services to older people, particularly those who do not have independent transport. In the second instance, we need strategic interventions to ensure that Asdee grows its population. Substantial population growth in Asdee would be of benefit to the entire county – and not just the immediate locality. The community already has facilities and infrastructure in place, including an excellent national school, church, shop and other village amenities. In line with the objectives of *Ireland 2040* and the *National Planning Framework* - to ensure best use of existing infrastructure, it is important to enable Asdee's population to grow. We envisage a growth rate of 2% per annum over the lifetime of the plan. This proposed rate is modest, and is a basic minimum. The village has much further capacity for growth, and this needs to be harnessed.

The evidence base indicates an under-representation of families with young children in the local population. Therefore, in order to redress this deficit, it is necessary to put in place amenities that will make the locality more attractive to this population cohort. Our community plan provides for such investments, including a playground and revamped community centre. The municipal district plan ought to offer a supportive framework for the delivery of these projects. It also ought to provide for enhanced connectivity across the communities along the Shannon Estuary, so that they people can live here, even if they work elsewhere.



Our evidence base has also been enhanced by a survey questionnaire, which was completed by over 140 adults and by parallel survey work involving all the children (3<sup>rd</sup> to 6<sup>th</sup> class) in the local primary school. These highlight the need to improve local infrastructure. The east-west connection Ballybunion-Tarbert is reasonable, but the north-south roads to Lisselton and Listowel are of poor quality and need to be upgraded as a matter of urgency. There are also stretches of the Beale to Tarbert road in serious need of upgrading, particularly where there has been subsidence. The evidence also indicates that large-scale industrial wind turbines are doing considerable ecological damage, and that smaller-scale and community-based approaches to clean energy generation would be more appropriate in Asdee and across North Kerry. Our area is on the Wild Atlantic Way (WAW), and the recent industrialisation of the landscape is not compatible with the ethos and marketing of the WAW. Above all, the protection of Asdee's ecology and the imperative of ensuring population growth require immediate provision of a wastewater treatment facility.

#### **Local Support**

Local citizens have availed of several opportunities to input into our community plan and to this submission, and to convey their support for it. Beginning in June, members of our association called to every house in Asdee. We informed them about the community plan and invited them to either attend a series of public consultation meetings and / or to forward on their views and recommendations. This investment of time was considerable, but very rewarding. It allowed us to identify new issues and opportunities and to engage with people who traditionally did not get involved in community development activities. Over the second half of 2019, we held three public meetings at which independent facilitators worked with us to identify needs, projects and priorities. Over forty people attended each meeting, and, in total, over 100 people attended at least one meeting. In addition, in November, we organised a Geodesign workshop, at which local citizens physically mapped the ideas and proposals that have emerged from the planning process. In addition, the Geodesign workshop allowed for various interest groups to negotiate with one another and to engage in dialogue with landowners and those who are planning private – domestic and commercial – projects that will impact on the locality.

#### **Vision**

Our vision is based on, and motivated by, the United Nations' Sustainable Development Goals. We have tremendous natural resources locally, and are committed to protecting these and to ensuring a high quality of life for all residents and a welcome for visitors. We envisage:

- Sustained population growth;
- Enhanced connectivity – road and broadband – to support local economic development;
- Modernised community facilities, particularly the community centre – to become a multi-purpose hub;
- Ecology supporting economy – an anaerobic digester, power generation in harmony with the local landscape, sustainable agriculture;
- Cultural and heritage celebration – based on local features, including Jessie James;
- Attractive place to live – renewed walkways, enhanced beach access;
- A caring community – sheltered housing and more services for older people; and

- More young families – opportunities for teleworking and more sustainable modes of travel to work.

In order to give effect to these visions, all of which are consistent with EU and national policy goals, it is important that the Listowel Municipal District Plan provide for, and support, the following:

- A wastewater treatment system to serve approximately 250 connections;
- Restrictions on commercial windfarms and stronger safeguards for local landscapes and ecology;
- Improved road connectivity and public transport provision;
- Fuller exploitation of our location on the Wild Atlantic Way and proximity to a wealth of heritage and natural resources;
- A sheltered housing complex with ancillary services; and
- A modern community centre – as a community hub.

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## 1. Community Planning

Asdee Community Development Association is currently preparing a five-year plan for the area. This project is funded by Bord Iascaigh Mhara (BIM) under the Fisheries Local Action Group (FLAG). We request that the outcomes to date from the community planning be included in the Listowel Municipal District Area Plan for 2019-2025. We also request that a meeting with Kerry County Council Planners be arranged for us to present our plan.

The project commenced in September 2019, facilitated by Paul O’Raw, Community Consultant, and Brendan O’Keeffe, Geographer and Social Researcher.

Some of the key issues raised to date have been; population decline, vacant properties, lack of services, social isolation, the lack of employment in the North Kerry area, and lack of facilities, particularly for the youth and elderly of the community.

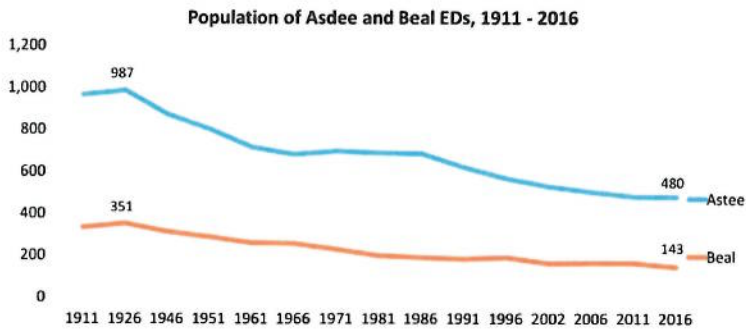
Below is a summary of issues facing our community compiled from the individual surveys.

### What are the principal current issues facing your local community?

- Population Decline – loss of youth
- Too many wind turbines
- Planning regulations
- Sewerage Treatment
- Isolation (social)
- Lack of Employment (in North Kerry)
- Broadband
- No post office
- Commuting

## 2. Population Decline

### Population of Asdee and Beal EDs, 1911 - 2016

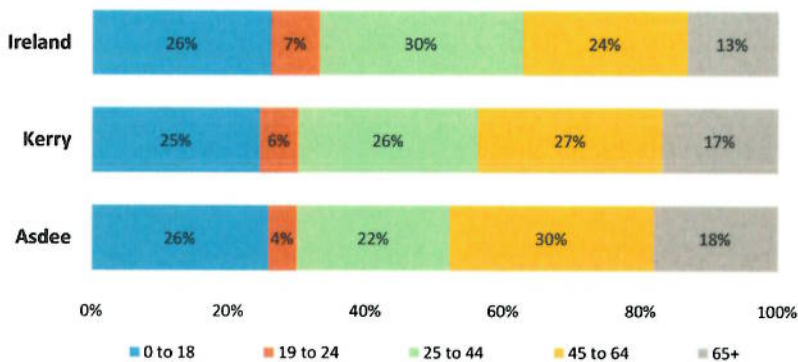


This information has been taken from census data by Dr. Brendan O’Keeffe. As can be seen from the chart, the population has declined by almost 50% since 1926, from 987 to 480 in the 2016 census.

This has been a huge factor in contributing to social isolation, vacant properties, and the closure of the local post office, two shops and two public houses in the past decade.

The population profile as presented below indicates an aging population, higher than the national and Kerry average, with the 19-44 age profile well below the national and Kerry average.

### Age Profile of the Population



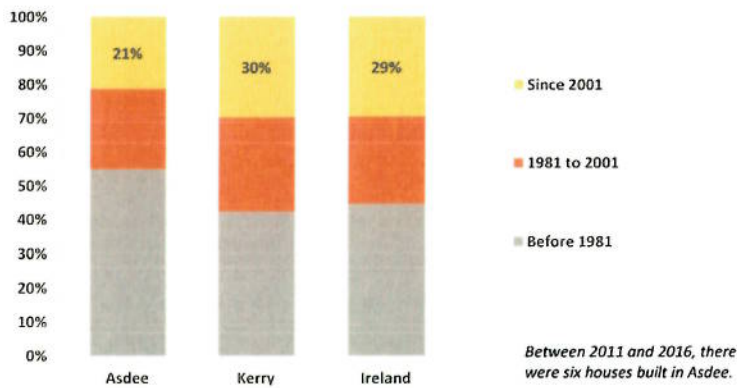
Any plan for Asdee should incorporate projects that counteract population decline and support new housing developments, renovation of vacant homes, new services, and amenities to attract young families.



The lack of waste water treatment is a severe hindrance to new housing developments in the community. It is imperative that a waste water treatment plant or alternative waste treatment facilities is included for Asdee in future Listowel Municipal District plans.

CSO statistics show a sharp decline in new housing developments, particularly since 2001. Any future planning policies by Kerry County Council should help facilitate and support the repopulation of small rural communities, such as Asdee.

### Periods in which houses were built



### 3. Facilities

Asdee now has one shop, a church, and a primary school, while the post office closed earlier this year. The community centre is in disrepair and requires a significant upgrade to bring it up to the required standards.

However, this centre has been highlighted as being pivotal to all future plans for Asdee. The centre should be developed as a social hub for the community, with suggestions including; community café, office facilities, including high speed broadband for remote working, youth facilities, fitness equipment, and improved facilities for our Active Retired group.

**Are there any particular amenities or facilities that should be developed in Asdee?**

- ✓ A Playground,
- ✓ Recreation Area(s) – walkway, the beach (parking), astro-turf, gym,
- ✓ Sewerage scheme, more housing,
- ✓ Jessies
- ✓ Youth services
- ✓ Crèche
- ✓ Social housing,
- ✓ Refurbish community centre
- ✓ nicer places to meet, café
- ✓ Broadband
- ✓ Lighting
- ✓ Bigger shop

*Summary from individual questionnaires*

*(Jessies refers to the tourism potential of the former Jessé James pub as the famous outlaw had ancestors from Asdee)*

The handball alley on the riverbank to the west of the village is an area that could be developed to incorporate a small playground and picnic area. The community have highlighted a playground as a key facility to encourage young families to live in the area. The picnic area could act as a stop-off/starting point on the walking trails.

The condition of the bridge in the vicinity of this area, while of no immediate danger, is deteriorating and has been examined by Kerry County Council engineers, and is in need of work in the near future.

We would envisage the possibility to widen the road during this work, with the potential for a suspended walkway similar to the bridge in Athea, facilitating pedestrian access from the village.

## 4. Tourism

Asdee, situated along the Shannon Estuary and on the Wild Atlantic Way, has potential to develop a strong tourism business.

Our local beach, Littor Strand, is something of a hidden gem, with kilometers of quiet, sandy beach to walk, while the safer waters make it a family friendly alternative to some of the busier beaches in North Kerry. The untapped potential of the beach is something we wish to highlight going forward.

It is one of only five beaches in Kerry to have achieved the Green Coast Award. The award is for beaches which have excellent water quality, but are also prized for their natural, unspoiled environment. It is also a member of the Clean Coast program, which works with communities to help protect and care for Ireland's waterways, coastline, seas, ocean, and marine life.

The Shannon Estuary is home to the only resident population of Bottlenose Dolphins in Ireland, approx. 140 individuals often seen feeding and playing in the waters off-shore. The Estuary is also a significant food source for migrant waders who travel south to winter in Ireland.

Another untapped resource is the Shannon Way Trail, which stretches from Ahafona in Ballybunion, across Cnoc an Oir, through Larha and Tullahinell (townlands in Asdee), and continues into Ballylongford, before finishing in Tarbert. In recent years, the trail has become inaccessible in parts. The plan is to clear the section from Cnoc an Oir to Tullahinell, to make it fully accessible and to work with our neighbours Ballybunion, Ballylongford, and Tarbert to promote the trails panoramic views of the Estuary.



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The development of the North Kerry Trail, by extending it onto the existing Shannon Way Trail would be a wonderful addition to North Kerry tourism. Future projects include new coastal and river trails in the Asdee area, also referenced below.

We aim to develop information on local history and heritage, as well as showcasing what the area has to offer on our newly developed website, [AsdeeVillage.com](http://AsdeeVillage.com).

In order to accommodate activity tourism in the area a glamping/camping site with toilet and shower facilities would be a welcomed addition to the area.

The revival of the Asdee Festival is also high on our list of priorities. The previous festival in the mid-90s was hugely popular and encouraged our diaspora to return home for the occasion. Festivals help encourage people to visit the area and also showcases their achievements and what the community has to offer.

## **5. Natural Environment**

We see huge potential in our natural environment to develop walking trails along the river, including upstream to the Black Waterfall from which the Asdee name derives (Easa Duibhe), and downstream extending to beach walks along the Shannon Estuary. We want to rejuvenate the Shannon Way Walking Trail, with links to the new trails mentioned.

The importance of coastal protection measures is critical as land is being eroded by the tidal nature of the Shannon Estuary. Such measures could include stone wall defences, gabions, and rock armour.

The village would be greatly enhanced by new signage, townland signage, continue the upgrade works to the footpaths in the village, and the addition of information and history boards.

## **6. Heritage and Archaeology**

In close proximity to the handball alley west of the village, there are two Ring Forts, which could be developed as a historical point of interest, incorporating history and information boards.

Tullahinell House, known locally as "The Buildings", was the former Landlord's residence of Maxwell V. Blacker-Douglas. There was also a mill in the late-1800s. In the early 1900s, it is believed to have been a refuge for Republicans fleeing British authorities, and played host to a meeting of important senior Republican figures, including Cathal Brugha and Arthur Griffith.

St Eoin's Well, located in Asdee West, is another point of interest in the vicinity. An annual mass is held there each June. The well has been historically attributed with healing properties.

## **7. Vehicular and Pedestrian Traffic**

As highlighted in the previous plan, there are no car parking facilities in the village. Parking at peak times can cause congestion and pose a health and safety risk. Sites for a car park are limited but potential areas are being explored.

Heading East towards Ballylongford on the R551, there is a dangerous junction on a sharp bend, known locally as "Lacey's Cross". This has previously been highlighted to Kerry County Council as an accident blackspot and the need for a right-hand turning lane.

Below are Architectural Conservation Areas (ACA) that have been given a facelift since the previous plan.






# Appendix

The 2 pages below formed part of the Listowel Municipal District Area Plan for 2013-2019.

### ASDEE

**CONTEXT**

Asdee is a small North Kerry village located on the R511 Black Runon Redemptiois Turnoff Road. It is a quiet area of approximately 400 residents of Asdee, which is located about 10km from the village of Banteagueilly.



**Fig. 1. Asdee**

**Location**

Asdee is largely contained in a valley, which the village's size and location supports into a natural level of services.

**Facilities**

Asdee has a minimal number of shops and services including a church, community centre and a primary school. The local club and sports field is also located in the village area.

**Demographics**


There are no population figures for the settlement of Asdee in the most recent census. It is located within the Electoral District of Asdee. The population of the ED fluctuates in the census period between 2006 and 2011 from 1014 to 493 persons or by 4.4%. The population density from 2006 to 2011 is approximately 10%.

**Environment**

There is no water water treatment plant and development is carried out in the rural areas, with water water treatment systems. The lack of water water infrastructure will place significant restrictions on the level of residential growth that can be accommodated over the plan period.

**Development**

The village is served by the North East Kerry Regional Water Scheme which has sufficient capacity to cater for any reasonable development.



**DEVELOPMENT ANALYSIS**

**Historical**

The architecture in Asdee is largely traditional in style. Buildings in the Main Street generally stand on large sites and are set back from the public road. A limited street frontage exists on the western side of the village which if developed further would give the village a more defined centre and urban structure. This area is the village's service hub and includes the church, primary school and local post office. It is therefore, the appropriate location for the development of services which would serve the local development. However, the extent of the village's central area is limited by the proximity to the rural village aspect. The village is therefore an appropriate location for linear, linear development and service development in secondary towns, demand for linear development in individual sites which might otherwise occur in the rural landscape.


**Heritage and Architecture**

There are no National Monuments or Potential Protected Structures within or bordering the plan area. It is however, an objective of this Plan to promote and enhance the elements of the built environment which define the character of the village. A series of 10m-Rooms based on the main street form a particularly valuable and attractive traditional building which should be preserved. The extent for change is predicted. Some buildings individually have been designated as an Architectural Conservation Area (ACA). Details relating to development in ACA are set out in Section 7.1.1.1 of the Plan.

**Environment**

There are no designated environmental protection areas in the vicinity of the village. A wooded area exists in the western approach to the village from an adjacent residential. Local residents have also identified a significant wood of Box planting which adds an attractive visual aspect to the village's main natural landscape environment.

The village's main focus is the provision of a development, upgrades to existing infrastructure of water and the maintenance of existing roads.

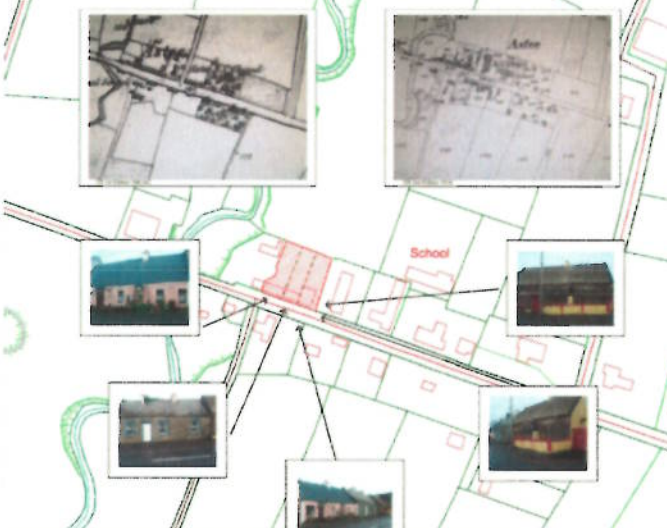


**Historical and Architectural Quality**

There are no car parks in the village and all parking is on-street. The main street is a narrow lane with a mix of parking on both sides. Parking in some areas, such as school grounds and along church grounds, can cause congestion and expense. The provision of a car park in the vicinity of the school and church to address this problem would therefore be supported.

**Transport**

There is no local employment in the vicinity of the plan area. It is envisaged that residents will continue to commute to urban centres such as Limerick and Dublin.



**Legend**

Proposed ACA

**Location and Boundaries of the Architectural Conservation Area**

The ACA is comprised of a strategic group of three buildings which are of historical and architectural interest and are located in the main street area.

**Historical development of the area**

In the first edition of the 1974 map, the ACA is a group of buildings with a common facade in stone of the 18th century. These buildings represent the historical core of the village of Asdee. The buildings are set on the site of the 18th century and are of historical and architectural interest. There are no other buildings of historical interest in the village. The buildings are of historical and architectural interest and are of historical and architectural interest.

**Justification of ACA designation**

The ACA is a group of buildings which are of historical and architectural interest. The buildings are of historical and architectural interest and are of historical and architectural interest. The buildings are of historical and architectural interest and are of historical and architectural interest.

**Asdee**

**Built Heritage**

# Ballylongford

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## Draft Listowel Municipal District Local Area Plan 2019-2025

Comments on Proposals

Friday December 13<sup>th</sup> 2019



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# 1 Significant population decline

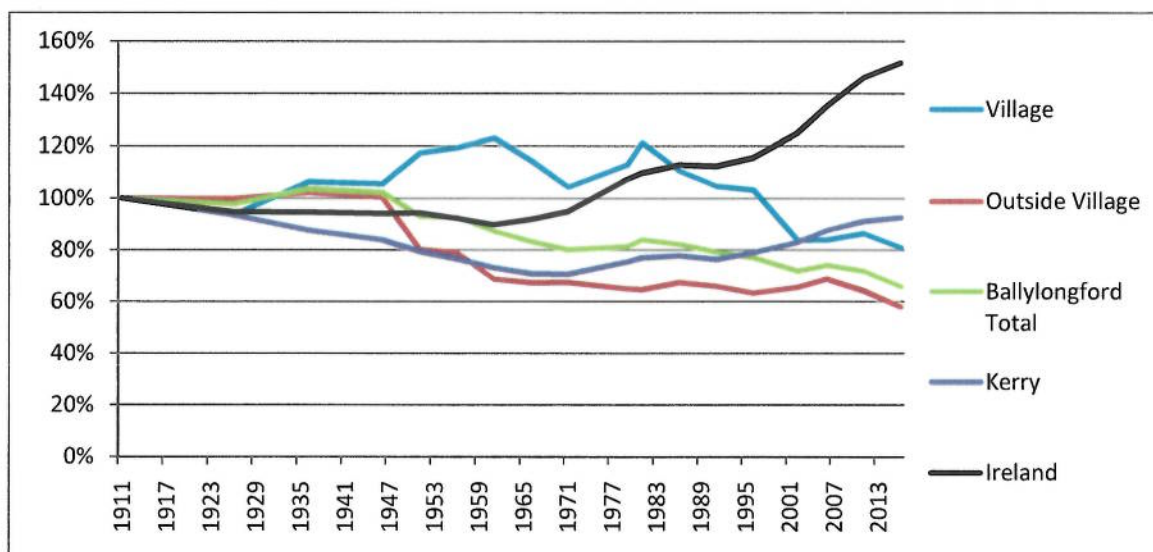
The following is based on census data, including 2011 and 2016 Small Area data (Central Statistics Office, 2019). The historical parish of Aghavallen (Ballylongford) mirrors the current parish of Ballylongford. The extent of the parish is shown in Figure 1, along with the relevant small area plans. The population of the parish has dropped by one third since 1947.

The population of Ballylongford village has dropped by 23% in the 25 years since the 1991 census (Figure 2). This is a much starker figure than that contained in the report. Urgent action is required to reverse this trend.

Figure 1 - Census data is based on the small areas (blue) contained within the historical parish of Aghavallen (black) (Ordnance Survey Ireland, 2017)



Figure 2 - Percentage change in population over the last 100 years (Central Statistics Office, 2019)

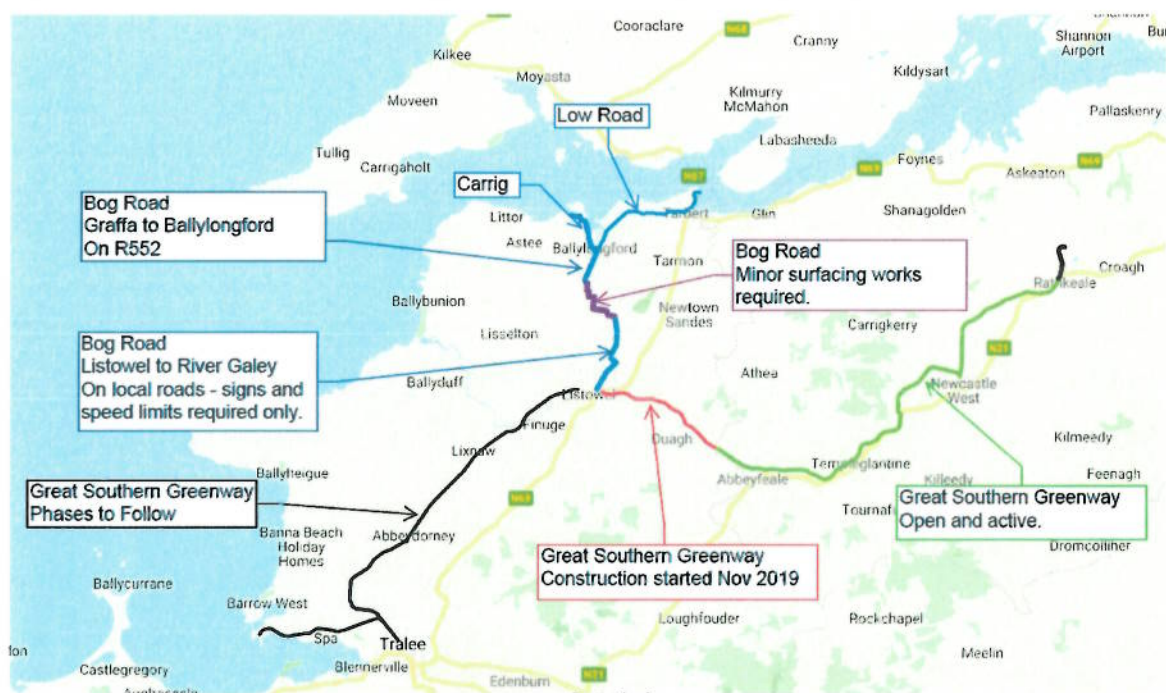


## 2 Cycling

There are obvious cycling routes with minimum works, no CPOs required, on low volume, very scenic local roads. One huge opportunity for Ballylongford is to link the Tarbert Ferry to the Great Southern Greenway via a network of very minor very low volume local roads.

From January 1<sup>st</sup> to December 11<sup>th</sup> 2019, 12,353 (Maher, 2019) foot passengers and cyclists used the Shannon Ferry. There are three school buses serving Ballylongford-Tarbert Comprehensive routes. This route has huge potential for both commuting school children and tourism. Figure 3 shows the regional greenways, Figure 4 the local proposals.

Figure 3 - Great Southern Greenway and opportunities for Ballylongford (Google Maps, 2019)



Designation as cycling routes, followed by signage and reduced speed limits would help massively. Down the line funding (or planning conditions for the Land Bank) could be sought for segregation of vulnerable road users (Figure 6).

With the exception of sections on local tertiary roads or boreens, there are no pinch points created by development on both sides of the road on this route (Figure 5 and Figure 7). Long term, CPOs to widen this route and provide proper vulnerable user protection on regional, local primary and local secondary roads would not impact on any existing dwellings or businesses. It will just involve moving ditches. This offers an incredible saving compared to upgrading any other route.

Every other potential route as far as Athea has multiple pinch points with dwellings on both sides of the road. There are no hard shoulders on the N69 and separation of vulnerable road users is not possible without major civil engineering as the surrounding bog is over a meter below the road for long stretches.



Figure 4 - Ballylongford Greenways (CNES / Airbus, Infoterra Ltd & Bluesky, Maxar Technologies, 2019)

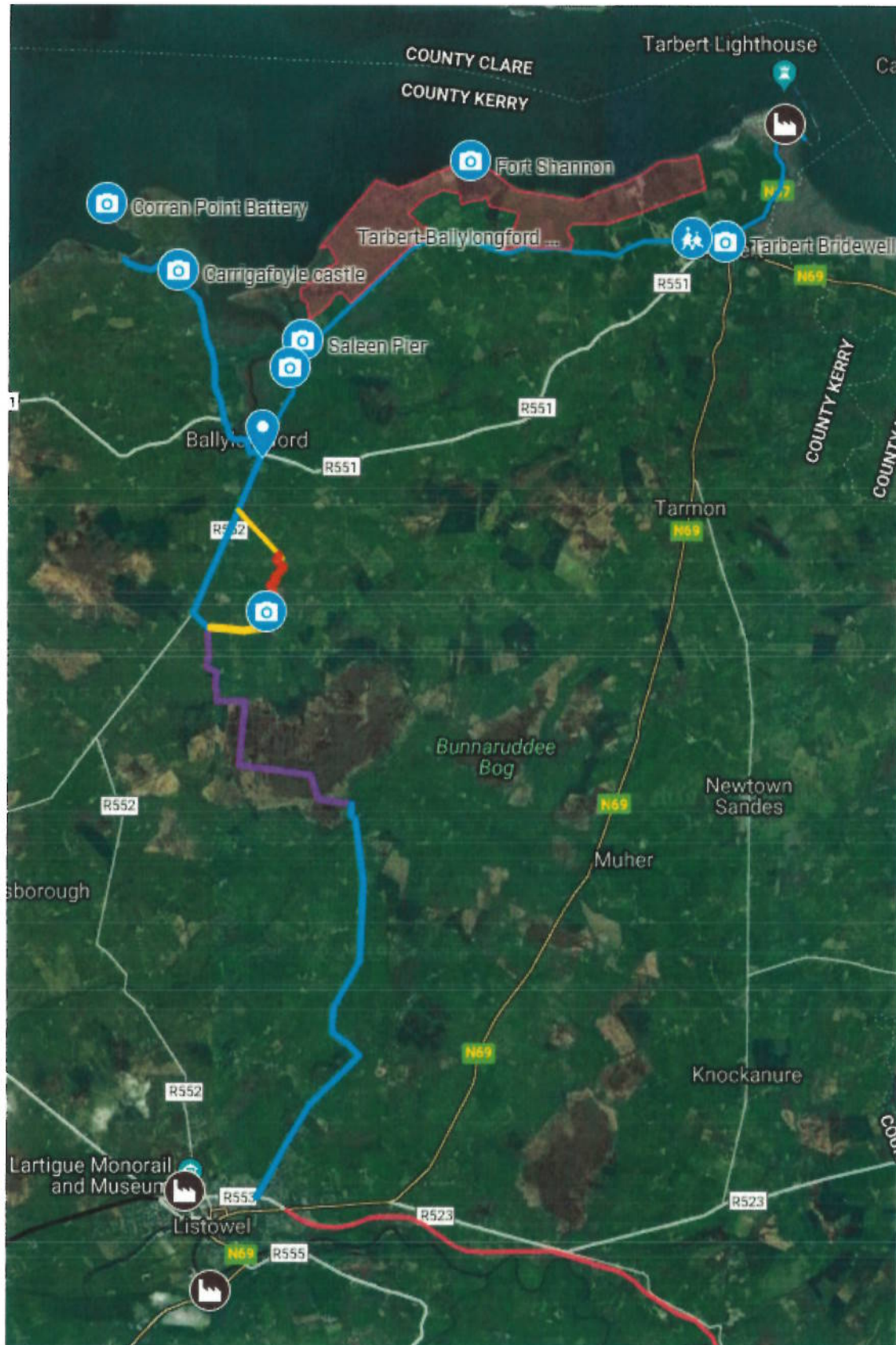
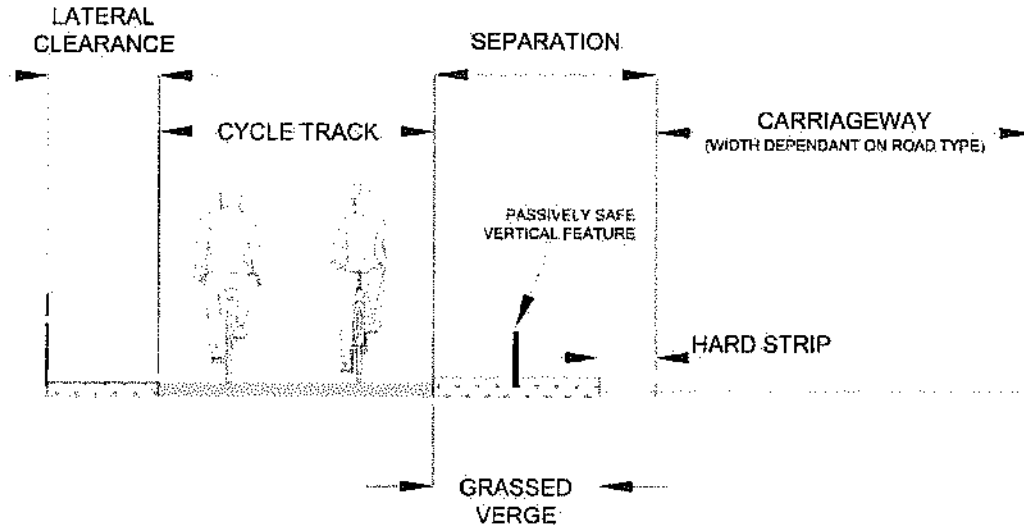


Figure 5 - Pattern of development on the Low Road is well suited to widening in the long term as development occurs on one site only between the blue marks (Ordnance Survey Ireland, 2017).



Figure 6 - Segregation of vulnerable road users (Capital Infrastructure Unit (KCC), 2018)

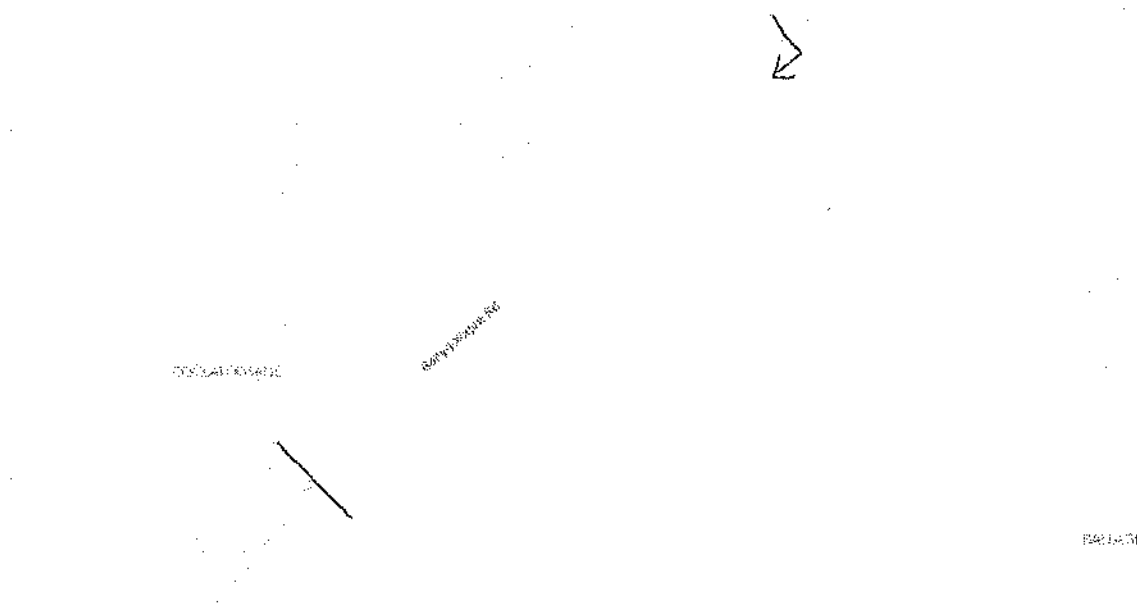


## 2.1 Low Road

The 'Low Road' north east from Ballylongford to Tarbert passes Lislaughtin Friary, Saleen Pier, Fort Shannon and Tarbert Comprehensive School. See Figure 3 and Figure 4.

As stated earlier, the absence of development on both sides of the road (Figure 5) means that developing proper vulnerable user segregation (Figure 6) is easy in the long term. Furthermore, the Land-Bank runs for the vast majority of this route, and low cost cycle path could be incorporated into any road upgrades required to service this site. The Land-Bank is shaded red in Figure 4.

Figure 7 - No development from the last section on local tertiary roads to the urban development and Listowel (Dromin) WTP on the approach to Listowel on local primary roads (Ordnance Survey Ireland, 2017).





## 2.2 Bog Road

This 15km section of the route starts on Main St (R552) in Ballylongford, and turns left at the first bend into Graffa. A short distance later the 4.5km purple section shown in Figure 4 and photographed in Figure 8 begins offering stunning views through a working bog. This route comes out of the bog at the Pollagh Bridge over the River Gale. Following 4km later on very low volume local tertiary roads, turn right and the built up outer edges of Listowel, including Listowel (Dromin) Water Treatment Plant are less than 1km away (Figure 7).

**Figure 8 - The Bog Road**



The bog road requires some minor works, but pothole filling and cold tar repairs to one half of the road would make this an excellent cycling route. It is currently driveable, just about.

Long term development of this route could include the section shown in yellow and orange in Figure 4. This would avoid the R552 and keep users on local tertiary roads between Ballylongford and the short section outside Dromin in Listowel. The portion in orange is 1.1km long following ditches through fields past Meelish Fort, an ancient Ringfort in forestry. The sections in yellow are on local tertiary roads / cul de sacs. Meelish Fort justifies a tourist route all on its own.

## 2.3 Carrigafoyle

The most heavily used walking and cycling route is a section of the Wild Atlantic Way to Carrig Island from Ballylongford. This is a critical local amenity and I'm sure well referenced in other submissions. A speed limit reduction and some signage would assist this route. Extending the opening months (May-Sept) for Carrigafoyle Castle would also assist.

### 3 Community electrical vehicle scheme

25% of all car sales in Ireland in November were fully electric vehicles (EV) and the best-selling car in November (across the whole market, including diesels, etc) was a Tesla (Irish Motor Industry, 2019). Electric vehicle numbers are climbing massively.

There is no electrical vehicle hub on the Wild Atlantic Way.

At dedicated fast charge points an EV will top up in 30minutes. There is one of these in Kerry. At the more common slower charge points most EVs take over four hours to top up. This duration would suit a cycle or walk from the village to Carrigafoyle Castle, Corran Point Battery, Lislaughtin Friary, Saleen Pier with time left over to visit a local cafe. A relatively small investment would build an EV charging hub.

Furthermore, a community electrical vehicle scheme would service the majority of off peak journeys to Listowel, Ballybunion or Tralee.

A €5,000, 2011 Nissan Leaf, battery degradation and all, is still good for 90km of range in the dead of winter(Electrical Vehicle Database, 2019). So it'll handle a return trip to Tralee from Ballylongford no problem. Anecdotally the majority of off peak journeys are to Ballybunion and Listowel, a fraction of this distance. A small number of community electric vehicles would easily service the majority of off-peak needs for Ballylongford in a very sustainable manner. This would be particularly useful to the younger and older portions of the population.

A proper charging hub could be financed by daytime summer charging and take advantage of cheap night tariffs for community vehicles.

Table 1 – Cost and emission savings for community EV scheme

Destination	Distance (km)	Diesel cost @60mpg €	EV at (nightrate) €	18kW/100km	CO <sub>2</sub> savings kgCO <sub>2</sub>
BallyB return	33.4	€ 2.06	€ 0.60		5.4
Listowel Return	25.5	€ 1.58	€ 0.46		4.1
Limerick Return	130.0	€ 8.03	€ 2.34		20.9
Tralee Return	77.8	€ 4.81	€ 1.40		12.5

### 4 Commuter patterns are very well suited to public transport

Examining travel time and journey duration from Ballylongford census data and information from TII traffic counters strongly suggests at least one minibus equivalent of people are travelling to both Limerick and Tralee for approximately 9-5 jobs.



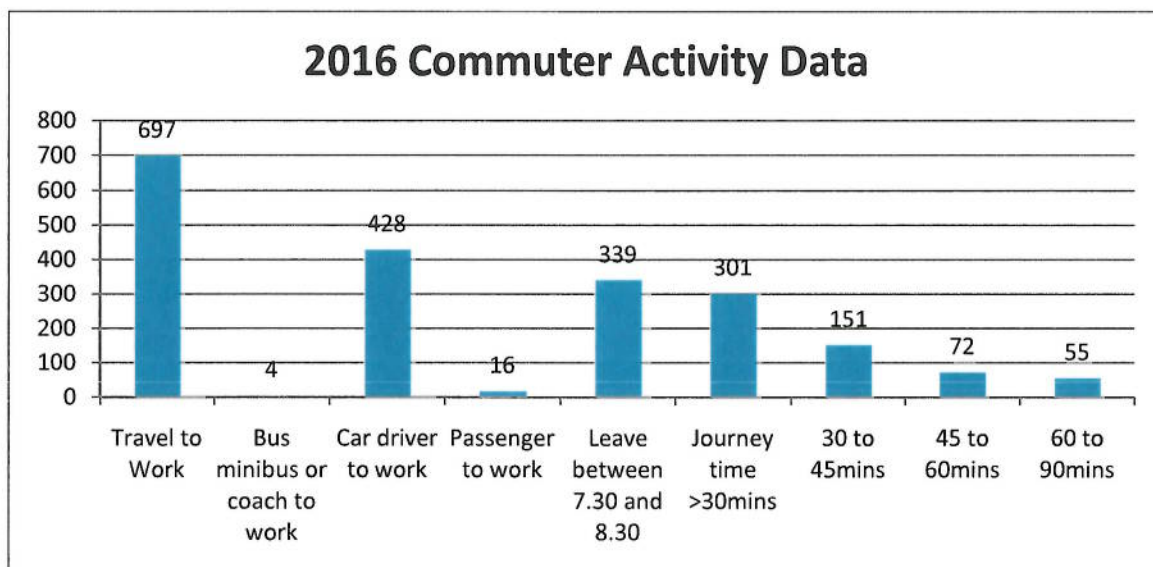
Viability of this public transport is massively dependent on commuters NOT getting in their car to access this public transport. Studies the world over have shown that if a commuter uses a private vehicle for part of their journey, it is close to impossible to avoid them commuting door to door. IE they must be able to walk / cycle to meet public transport.

Figure 9 – This image shows approximate journey time leaving Ballylongford at 8am, blue line indicating 45min commute and red line 90min. Ballylongford is marked in blue, significant sources of employment at factories or industrial estates are also marked (Google Maps, 2019).



Census data (Central Statistics Office, 2019) shows a strong business case for commuter public transport in Ballylongford. Interpretation of the data displayed in Figure 10 shows 61.4% of commuters travel as drivers and 14.5% travelling between 45 and 90 minutes to work. This equates to 127 people in 2016 travelling in 78 private vehicles.

Figure 10 - Commuter data from 2016 Census small area data (Central Statistics Office, 2019)





Compare this information to morning rush hour travel times from Ballylongford (Figure 9) and TII traffic counters data presented in Figure 12 for locations shown in Figure 11. The simplest example is Limerick. There is only one practical morning route, the N69. Examining traffic counter data shows two distinct peaks of traffic entering or leaving the system at Glin, Tarbert, Ballylongford and Ballybunion.

**Figure 11 - Location of permanent TII traffic counters identified as circled green dots. Colours; Kilimer, Glin, Moyvane, Kilflynn(Google Maps, 2019).**



**Figure 12 - TII traffic counter daily volume averages in the North Kerry area from 1<sup>st</sup> January 2019 to 1<sup>st</sup> December 2019 showing numbers of vehicles per hour on the vertical axis (Transport Infrastructure Ireland, 2019)**

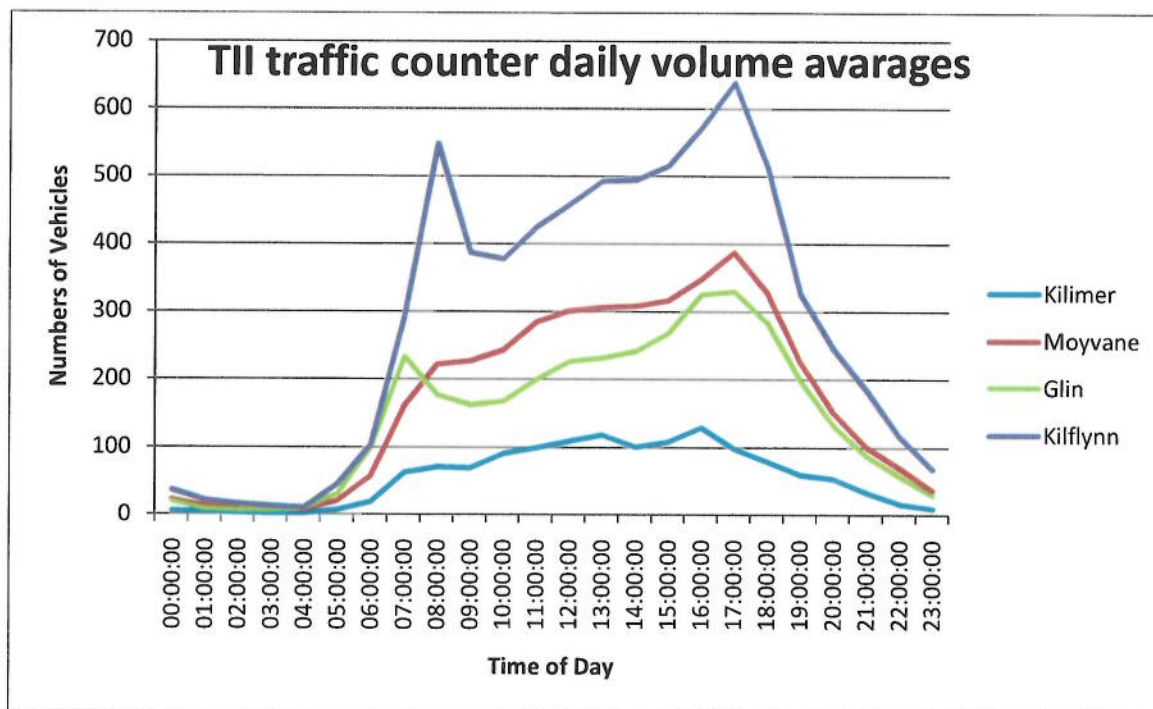
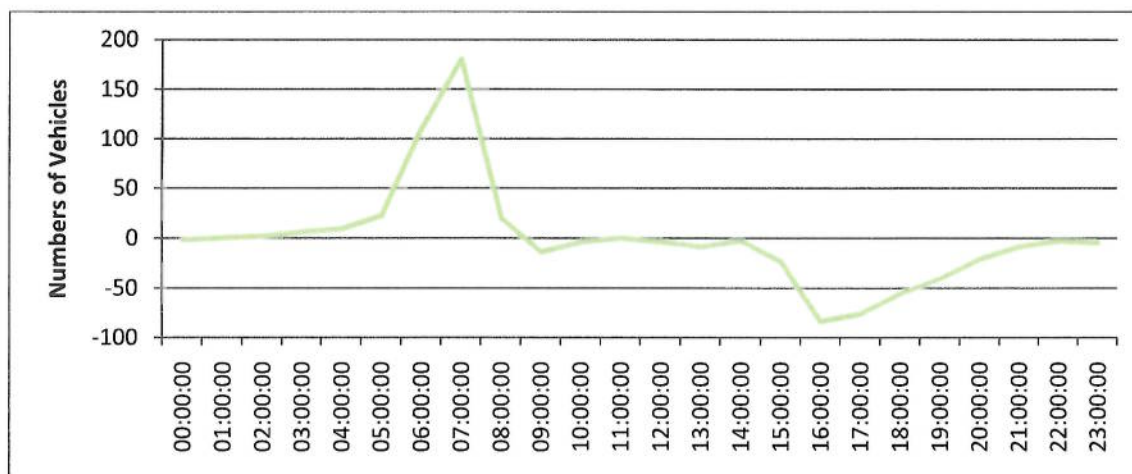


Figure 13 shows the traffic that originates west of Glin in the morning, east of Glin in the evening and does not pass the traffic counters on the way to Listowel or Kilrush. I.E it originates locally.

Comparing the census data shown in Figure 10 to this data, close to 40 vehicles (>50 people) likely originate in Ballylongford. Anecdotal evidence suggests a bus that connects to the Coke Bike public bike share scheme stand at Mary Immaculate College and the entrance to Raheen Industrial estate would serve most of this population. If this same bus met the shift change at Aughinish Alumina it would surely be full.

With temporary traffic counts south bound on Main Street Ballylongford, we are certain the same could be proven for Tralee.

Figure 13 - The net traffic that passes through the Glin counter, but does not continue to Listowel or Kilimer. I.E. traffic that comes from Glin, Tarbert, Ballylongford or Ballybunion (Transport Infrastructure Ireland, 2019).



## 5 Water & Wastewater infrastructure

The 260pe figure reported is incorrect. There is massive available capacity in the local infrastructure.

The waste water treatment plant commissioned in 2015 has a capacity of 1000PE and is at just over 50% capacity (Irish Water, 2018). This plant has **capacity for an additional 450 people**. That equates to an extra 175 houses based on the census occupancy of 2.56pe. This excess capacity is a key driver for the proposed boundary extensions. Similarly, there is no shortage or impediment to development due to drinking water.

Table 2 – Treatment Capacity Report (Irish Water, 2018)

Hydraulic Capacity – Design / As Constructed (dry weather flow) (m3/day)	225
Hydraulic Capacity – Design / As Constructed (peak flow) (m3/day)	675
Hydraulic Capacity – Current loading (m3/day)	368
Hydraulic Capacity – Remaining (m3/day)	307
Organic Capacity - Design / As Constructed (PE)	1,000
Organic Capacity - Collected Load (PE)	554
Organic Capacity – Remaining (PE)	446
Will the capacity be exceeded in the next three years? (Yes / No)	No

## **6 The bridge – BD-T-01**

It is imperative that Pedestrian access and approaches across the bridge be resolved. It is a major stumbling block for the youngest and oldest in our community.

## **7 Regularising the Settlement Boundary**

Firstly, the commitment to settlement in a more compact form is to be commended. A strong, compact centre is key to a sustainable future for Ballylongford.

As stated previously viability of public transport is massively dependent on commuters NOT getting in their car to access this public transport. The same rings true for all aspects of village life. The butcher, the shop, the pubs, the take-away, and all other services depend on foot fall to be sustained. Forcing the community into cars to access these services massively increases the chances of that person continuing on to a bigger hub. It takes time to load a young family into a car, so much so that the journey time to Listowel is a relatively minor addition. If we can make it easier for locals to use local services, without resorting to the car we will make a massive stride towards sustainability. For this to happen the existing development must be regularised, IE village boundaries extended to the limit of existing development.

Figure 14 shows, circle in blue, linear development outside the 50kph speed limit. Figure 15 shows planning applications since 2007. That there is sufficient vacant property in the village to house these 43 households is damning, particularly given the vast majority of these dwellings have been constructed since 1990.

These are homes which have no footpaths, where no verge or hard shoulder exists. Heavy Ballybunion traffic during summer months, and Listowel bound traffic 365days a year force the occupants to travel by car to the local shop. 2016 Census data shows an occupancy rate of 2.56 in Ballylongford. 43 homes represent 110 people who can't walk to shops, schools, pubs or any future bus stop, or 25% of the village population in real terms. This is a consequence of serious failures of planning policy, but it cannot now be rectified. These houses are masonry and solidly built. They are not going anywhere. Their occupants will live long lives yet le cunamh Dé. The only thing we can ask is that the boundaries be adjusted so that in time these dwellings can be included in the village.

Everything about Ballylongford was built for twice the population it has now. Everything from the school to the wastewater plant can cater for the population doubling. With Listowel and Adare bypasses we will have excellent commuting routes to Limerick and Tralee.

We need those already living here to sustain the services we have. This won't happen unless the boundaries, created by planning policy, are regularised by planning policy.

Correcting the boundary will start the solution. The end game is that kids who really already live in the village can safely walk to school on a dark morning or training on a dark evening.



**Figure 14 - Isolated linear development(Ordnance Survey Ireland, 2017)**



**Figure 15 - Settlement Boundary and planning points(Kerry County Council, 2019)**



## 8 Saleen Pier

No mention of Saleen Pier has been made in the draft document. 43 vessels were on moorings at Saleen for the 2008 season. The club hosted 6 weeks of annual sailing course until the same depths of the recession. The pier is in and has been in continuous use by a professional fisherman for decades. The existing boat club facilities include c. 350sqm warehouse for winter storage of boats, a visitor pontoon, a clubhouse with kitchen / meeting room, male and female changing facilities including toilets.

Figure 16 - Saleen Pier upstream boats and moorings in 2011



Figure 17 - Saleen Pier showing 350sqm warehouse, boats and moorings in 2011



The last regatta held by Ballylongford Boat Club was in 2007, discontinued due to insurmountable insurance costs. There were only approximately 50 members of the boat club at the time, yet over 1,200 people PAID entrance to the regatta.

This facility offers massive proven tourism potential to the village.

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To whom it may concern,

We note that Proposed Variation No. 3 of the Listowel Town Development Plan 2009-2015 would involve the zoning of a field (Tobin's) to the rear of Kenny Heights as residential. We have reviewed the proposal – including the map of the area which is proposed to be zoned – and we have very serious concerns about it. We live in [REDACTED] which is in the last row of houses at the rear of the estate.

If the proposed variation was adopted, access to the site would, we understand, be via Kenny Heights. Access to and through Kenny Heights is already under severe pressure and is not able to safely and effectively cope with the current traffic levels – not only throughout the estate but also at the roundabout at the entrance to the estate. We have small children and have already had one serious near-miss while out walking with them in the estate and a relative had an accident at the roundabout when driving to our house. We absolutely dread to think how the volume of traffic would increase further with the addition of another residential area to the rear of Kenny Heights and the implications which this would have for us and in particular the safety of our children.

If the proposed variation was adopted it would, we understand, require an access route either through or beside the common green area at the rear of Kenny Heights. This green area is integral to the residents' enjoyment of Kenny Heights (playing games/football, walking dogs etc) and significant time and effort has been put in by residents into it (e.g. planting of flower beds and trees). This would be completely undermined by adding an access route through or near it.

The area is one of natural beauty and when the Greenway opens it will run adjacent to the field. A new residential development in that field would significantly detract from that natural beauty and would not make a good impression for those setting out on the Greenway at that point.

The field is a downward sloping one and it may seem at first that any new development would not interfere with our views. However the land there seems very marshy and we understand that it could not be predicted at this stage the extent to which such land would have to be reinforced/built up before it was developed with houses.

All of the neighbours we have spoken to share our concerns and we implore those making the decision to please not approve this proposed variation.

Yours faithfully

Gerardine and Billy Stack



13<sup>th</sup> December 2019

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

**Re: Proposed Variation 3 to the Listowel Town Development Plan 2009-2015 (as extended)**

A Chara,

Thank you for your authority's work on proposed variation no.3 for the purpose of, inter alia, bringing the Listowel Town Development Plan 2009-2015 (as extended) into line with the draft Listowel Municipal District LAP 2018-2024 and with the National Planning Framework.

The Office of the Planning Regulator (the Office) has evaluated and assessed the proposed variation to the development plan, above, under the provisions of Section 31AM(1) and (2) of the Planning and Development Act 2000, as amended (the Act).

As your authority will be aware, one of the key functions of the Office includes assessment of statutory plans and strategies to ensure consistency with legislative and policy requirements relating to planning.

The Office is currently developing an overall evaluation and assessment methodology for statutory plans. The submission below has been prepared to provide a high-level input to your authority in finalising the proposed variation of the plan.

**1. Matters within the scope of S.10 and S.10(2)(n)**

The Office has no comment in this regard.

**2. Consistency of proposed variation no.3 with the hierarchy of statutory plans**

The revisions included in the proposed variation provide for a considerably more consolidated and compact form to the future development of Listowel than is currently the case under the Listowel

Town Development Plan 2009-2015 (as extended).. The Office is therefore satisfied that, in general terms, the proposed variation is broadly consistent with the objectives of the National Planning Framework, and in particular NPO3c (compact growth).

At the same time, while acknowledging the work of your authority in progressively addressing the issue of excessive or inappropriate land use zoning objectives in the past, the Office does note that the extent of land zoned for residential development and for mixed residential development under the proposed variation would be somewhat in excess of the 15.25ha provided for in the core strategy of the Kerry County Development Plan 2015-2021, taking in to account the potential yield from brownfield lands and windfall sites.

Whilst proposed objective H1d to *'Prohibit development on lands zoned strategic residential reserve (R4) until 80% of all other residential zoned lands (R2) have been developed to the satisfaction of the Planning Authority'* might act to promote a phased and sequential approach to development of lands in a manner to ensure consistency with the core strategy of the Kerry County Development Plan, the revised land use zoning under the Town Development Plan does not include R4 or R2 land use zoning objectives.

A potential solution to this issue would be for your authority to consider the application of the R2 and R4 objectives as utilised in other plans in the county to the residentially zoned land to deliver a better match between the county-wide core strategy and the Listowel Town Plan (as varied).

Objective H1d, would retain flexibility to switch between zones to secure the progressive delivery of housing in the town as determined by rates of take-up.

Moreover, the availability or otherwise of services will be a determining factor in sequencing of future land development in the town.

**Recommendation 1** – In order to ensure prospective development under the variation of the Town Development Plan is consistent with the core strategy of the Kerry County Development Plan and NPO.3c of the National Planning Framework regarding compact growth, your authority is requested to:

- Consider the incorporation of a phasing sequence for zoned residential land (R1/R2/R4) taking in to account whether the subject zoned lands are serviced or serviceable (having regard to Appendix 3 of the National Planning Framework: *A Methodology for a Tiered Approach to Land Zoning*).

### **3. Relevant Section 28 Guidelines**

The Office notes that the proposed variation would appear to include zoning objectives for land (R1) at Castleisland adjacent the N69 and at Islandganniv North, that would enable vulnerable uses (residential) to be located in an area that your authority's Strategic Flood Risk Assessment would suggest are within flood zones A and / or B.



Having examined the assessment above, it does not appear that the justification test in accordance with the requirements of *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (OPW, 2009) has been satisfied in respect of the proposed land use zoning of the two aforementioned parcels of land.

**Recommendation 2** - Your planning authority is requested to omit, or to amend as necessary, the proposed revised land use zoning objectives under variation no.3 accommodating vulnerable uses on the lands at Castleisland adjacent the N69 and at Islandganniv North within flood zone A and/or B. Alternatively, your authority is requested to demonstrate compliance with the justification test under *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (OPW, 2009).

### **Summary**

The Office requests that your authority addresses the recommendations outlined above, which are made in the context of the provisions of Section 31AM(3)(a), in order to ensure that the proposed variation is consistent with relevant national policy obligations, guidelines and legislative requirements.

The report of the Chief Executive of your authority prepared for the elected members under section 13 of the Act must summarise these recommendations and the manner in which they should be addressed.

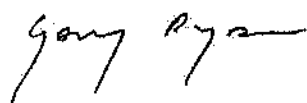
Your authority is required to notify this Office within 5 working days of the making of the local area plan and send a copy of the written statement and maps as made.

Where the planning authority decides not to comply with a recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with any recommendations made by the Office, then the Chief Executive shall inform the Office and give reasons for the decision of the planning authority.

Such notice requirements enable the Office to consider the matters further as regards the making of any recommendations to the Minister in relation to the provisions of sections 31AM and 31AN of the Act.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at [plans@opr.ie](mailto:plans@opr.ie).

Is mise le meas,



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**Gary Ryan**  
Director, Office of the Planning Regulator

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076 100 2747  
[gary.ryan@OPR.ie](mailto:gary.ryan@OPR.ie)



13<sup>th</sup> December 2019

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

**Re: Draft Listowel Municipal Local Area Plan 2019-2025**

A Chara,

Thank you for your authority's work on preparing the draft Listowel Municipal Local Area Plan 2019-2025.

The Office of the Planning Regulator (the Office) has evaluated and assessed the proposed variation to the development plan, above, under the provisions of section 31AO(1) and (2) of the Planning and Development Act 2000, as amended (the Act).

As your authority will be aware, one of the key functions of the Office includes assessment of statutory plans and strategies to ensure consistency with legislative and policy requirements relating to planning.

The Office is currently developing an overall evaluation and assessment methodology for statutory plans. The submission below has been prepared to provide a high-level input to your authority in finalising the proposed variation of the plan.

**1. Matters within the scope of section 10**

The Office has no comment in this regard.

**2. Consistency of proposed draft LAP with the hierarchy of statutory plans, including the RSES and the county development plan**

*Consistency with the RSES –*

The Southern Regional Assembly Regional Spatial and Economic Strategy (the RSES) is due to be made on 31<sup>st</sup> January 2019. Under the provisions of Section 11(1) of the Planning and Development Act 2000-2018 (as amended), a review of the Kerry County Development Plan 2015-



2021 would be required to commence within 13 weeks of the making of the SRA RSES on 31<sup>st</sup> January 2019.

Taking account of the above, the timing of the making of the proposed LAP might have ordinarily expected to be commenced after the review of the county development plan had concluded.

Notwithstanding the above, your authority has progressed the draft LAP for wider reasons but should consider including an objective committing to consider a review of the LAP in the event of it being out of step with a future iteration of the Kerry county development plan made in the light of the soon to be adopted RSES.

#### *Consistency with the County Development Plan –*

Ballybunion – The zoning of residential land would appear to be inconsistent with the core strategy and settlement strategy of the county development plan in terms of quantity of lands (12.75ha to accommodate 39 dwellings) allocated under table 3.6 of the development plan. Such a level of provision could provide for a very low density of development (in the region of 4 units per hectare), which would be markedly inconsistent with the approach adopted in other settlements.

A sequential approach to the zoning of lands required under section 3.1.2 of the development plan (in accordance with the recommendations of *Planning Guidelines for Planning Authorities on the Preparation of Development Plans* (DEHLG, 2007)).

The Office notes that the proposed land use zoning objectives for Ballybunion include the removal of existing residential zoned lands (c.5.1ha) located proximate to the town centre, to *strategic residential reserve* (R4), while proposing *new residential* (R1) to the south, significantly more distant from the town centre. The latter includes the introduction of a new parcel of land provided through an extension of the town's southern boundary. The proposed land use zoning therefore appears to be inconsistent with a sequential approach.

Such land use zoning objective would go against achieving compact growth of the town contrary to the objective of the NPF (NPO3c) and contrary to objectives of the draft LAP to objectives (LS-OO-04 and LS-R-05) to encourage infill development. The approach would also undermine the potential to achieve residential development of appropriate density, contrary to the *Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities* (DEHLG, 2009).

#### **Recommendation 1: It is recommended that:**

- The planning authority reconsider its approach to including R1 zoned lands within the proposed extended settlement boundary to the south of Pairc An Dtur; and
- the R1 lands south of Sandhill Park be amended to R4; and

- the northern section of proposed R4 lands, within proximity to the MC town centre zone, to the east of Kit Ahern Road, be amended to R1 in order to be consistent with the sequential approach recommended under the DPG 2007; and
- the total extent of lands zoned R1 be reduced/and or a phasing objective included to better match the development objectives for Ballybunion under the core strategy and settlement strategy of the County Development Plan.

Village settlements of Lixnaw and Moyvane – Referring to WWTP capacity constraints within the settlements, the draft LAP anticipates that development of existing infill sites and redevelopment is likely to be sufficient to cater for any residential demand that will arise over the LAP period and, accordingly, no lands have been zoned for new residential (R1). Strategic residential reserve (R4) lands have been zoned for future residential development within those settlements.

The development of R4 lands within the LAP is generally constrained by objective LS-R-03 which prohibits *development on lands zoned as strategic residential reserve (R4) until 80% of all other residential zoned lands have been developed to the satisfaction of the Planning Authority.*

However, the mechanism to prevent the strategic residential reserve (R4) lands coming forward for development prematurely cannot have effect where settlements have not zoned appropriately located new residential (R1) lands in the first instance. Therefore, in such settlements the strategic reserve land (R4) would effectively operate as new residential R1 lands.

For villages like Lixnaw and Moyvane, with existing or imminent WWT capacity (significant capacity in the case of Lixnaw), there is likely to be pressure to more extensively develop the R4 lands (2.25ha and c.1.5ha, respectively), in the absence of appropriate restrictions or safeguards similar to objective LS-R-03. This may undermine the core and settlement strategy of the County.

**Recommendation 2: It is recommended that:**

- an amended version of objective LS-R-03, or some other appropriate mechanism, be considered to limit the potential development of R4 lands for the village settlements, in particular with regard Lixnaw and Moyvane, consistent to the scale and character of those settlements.

Rural Nodes - no settlement boundary, land use zoning objectives, or population targets are assigned to the rural nodes. Development is anticipated to be limited to individual dwellings serviced by onsite wastewater treatment systems and is proposed to be directed by objectives N-01 to N-05. This approach is considered reasonable. However, in the absence of an indicated settlement boundary for each of the rural nodes, it will not be feasible to implement the relevant objectives.

**Recommendation 3: It is recommended that;**

- settlement boundaries are defined in plan attaching to the LAP in order to facilitate the implementation of development nodes objectives, N-01 to N-05.

**3. Consistency with Section 28 guidelines**

*The Planning System and Flood Risk Management Guidelines for Planning Authorities* (OPW, 2009)

According to section 4.18 of the guidelines, one of the objectives of the Strategic Flood Risk Assessment is to include the production of flood risk maps that support the application of the sequential approach in key areas where there may be tension between development pressures and avoidance of flood risk.

The submitted SFRA does not include detailed flood risk maps for the settlements subject of the LAP. This makes it difficult to determine the appropriateness of the proposed zoning in settlements, with particular regard to the application of the sequential approach principles in flood risk management (and application of the justification test, as necessary), as required by the guidelines. This issue arises, in particular, for the proposed land use zoning for Ballylongford and Abbeydorney. Similar observations have been made by the OPW in its submission of 9<sup>th</sup> December 2019.

**Recommendation 4: It is recommended that:**

- the SFRA carried out for the LAP be reviewed to accord with the requirements of the guidelines, in consultation with the OPW, including through the delineation of the flood probability zones for the settlements concerned to inform the land use zoning objectives within the LAP, in compliance with the sequential approach and the application of the justification test, as necessary.

**Summary**

The Office requests that your authority addresses the recommendations outlined above, which are made in the context of the provisions of Section 31AO(3)(a), in order to ensure that the LAP is consistent with relevant national policy obligations, guidelines and legislative requirements.

The report of the Chief Executive of your authority prepared for the elected members under Section 20 of the Act must summarise these recommendations and the manner in which they should be addressed.

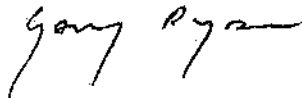
Your authority is required to notify this Office within 5 working days of the making of the local area plan and send a copy of the written statement and maps as made.

Where the planning authority decides not to comply with a recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with any recommendations made by the Office, then the Chief Executive shall inform the Office and give reasons for the decision of the planning authority.

Such notice requirements enable the Office to consider the matters further as regards the making of any recommendations to the Minister in relation to the provisions of Sections 31AO and 31AP of the Act.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at [plans@opr.ie](mailto:plans@opr.ie).

Is mise le meas,



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**Gary Ryan**  
Director, Office of the Planning Regulator

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076 100 2747  
[gary.ryan@OPR.ie](mailto:gary.ryan@OPR.ie)



MRG Consulting Engineers Civil Structural Architectural Environmental

Att. Senior Planner,  
Planning Policy Unit,  
Planning Department,  
Kerry County Council,  
County Buildings,  
Rathass,  
Tralee,  
Co Kerry

12th December 2019.

By email: [planpolicy@kerrycoco.ie](mailto:planpolicy@kerrycoco.ie)

Re: **'Submission / Observations on Proposed Variation No. 3 of the Listowel Town Development Plan 2009-2015'**; (as extended),  
(being the primary development plan for Listowel Town),  
and;

*insofar as this submission has a bearing on the content of the Proposed & later Adopted "Draft Listowel Municipal District Local Area Plan 2019-2025"; it is requested that these proposals, as adopted, be appropriately referenced in that also.*

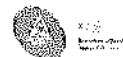
Dear Sirs,

We write on behalf of our client Mr Shaun Hegarty, Clieveragh, Listowel, County Kerry. On his behalf, we wish to make a number of observations, being modest proposals to amend a number of items contained in the Draft, relating to the putting in place of a sustainable strategy for the development of appropriate housing within the Plan Area.

The proposed amendments for inclusion to the Proposed Variation No. 3 changes to the Listowel Town Development Plan 2009-2015 (as extended) are as follows:

**1:** Insertion of additional text to the following paragraph (page 20 and page 22) in Section 5.1); which currently reads:

*"The Planning Authority will seek to ensure that all developments are carried out in a sustainable manner and comply with the "Sustainable Residential Development in Urban Areas" guidelines. The appropriate density for applications for housing developments will be considered by the Planning Authority on a "case by case" basis and will be based on the density of the surrounding development if any and the proximity to the town centre. The quality of the design of the scheme will also be heavily influence the decision. In general housing densities will be higher closer to the town centre and lower towards the edge of the town. In the majority of settlements infill and vacant sites are available within close proximity to the town centre. It is proposed to prioritise the development of residential units on vacant and infill sites within existing developments in particular."*



***The proposed amended text is:***

*The Planning Authority will seek to ensure that all developments are carried out in a sustainable manner and comply with the "Sustainable Residential Development in Urban Areas" guidelines. The appropriate density for applications for housing developments will be considered by the Planning Authority on a "case by case" basis and will be based on the density of the appropriate surrounding development, if any, the proximity to the town centre and elsewhere if appropriate to ensure the provision of a mix of unit types in existing developments with capacity for additional residential development, in proximity to existing and proposed transport and service infrastructure, in order to meet and adapt to the changing demographic trends and household profiles in a neighbourhood. The quality of the design of the scheme will also be heavily influence the decision. In general housing densities will be higher closer to the town centre or in proximity to transport and service infrastructure that serves the development and otherwise will lower towards the edge of the town. In the majority of settlements infill and vacant sites are available within close proximity to the town centre or in proximity to transport and service infrastructure. It is proposed to prioritise the development of residential units on vacant and infill sites within existing developments in particular.*

***2 & 3: It is proposed to insert some additional text in the 'published for public comment' wording of objectives H 9a and H 9b of: Revision 3 (i.e. the additional objectives to Section 5.2), which currently reads:***

H 9a	Ensure that residential densities reflect the density of appropriate adjoining developments. Higher densities will be considered in the town centre or within close proximity to the town centre.
H 9b	Require all new residential development schemes (over 5 units) to provide for a mix of house types in order to meet and adapt to the changing demographic trends and household profiles in the County.

***The proposed The proposed amended text for objectives H 9a and H 9b is:***

**Revision 3 (i.e. the additional objectives to Section 5.2),**

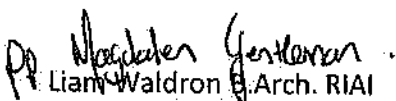
H 9a	Ensure that residential densities reflect the density of appropriate adjoining developments. Higher densities will be considered in the town centre, within close proximity to the town centre or in <b>proximity to transport and service infrastructure that serves the development.</b>
H 9b	Require all new residential development schemes <b>and completion of existing development schemes within the town boundary</b> (over 5 units) to provide for a mix of house types in order to meet and adapt to the changing demographic trends and household profiles in the County.

## RATIONALE FOR THE ABOVE PROPOSALS.

1. These proposed amendments, if accepted, will bring greater clarity to the stated objective of aligning local with best practice implementation of all current national policies.
2. These proposed amendments, if accepted, will enhance the current "published for public comment" Draft Proposals of Variation 3, so as to best serve the considerable demand and growing needs of the population of the town, the many returning immigrants to the region and particularly the population of its rural hinterlands, primarily to the West & North of the town, by enabling them to secure viable accommodation in a suitable mix of dwelling sizes and types on well serviced "Existing Residential Zoned – R2" land that is actually available for development at this time.
3. There is clear demand for an appropriate and sustainable mix of dwelling types; including one, two & three bed units in the Plan area. All opportunities to meet this demand in a sustainable a balanced and affordable manner should be encouraged within the Plan. Such mix can also cater appropriately for changing demographics, including the accessibility and mobility needs of a significant proportion of our ageing population. This is the case not just for new development, but equally where an opportunity to provide such mix presents in or close to existing residential developments, most of which are homogeneous in type. Such homogeneity frustrates key principles of planning for ability to change and adapt, upsize and downsize, but remain within close neighbourhoods.
4. These proposed amendments would also enhance, in a sustainable manner, the completion of existing developments that have been stalled due to the severe economic downturn. This would then greatly benefit the newly formed communities who currently live in the existing completed phases of these non-completed developments and will lessen the serious difficulty currently being experienced in the residential sector, both public and private in the area.
5. Furthermore such "Zoned Existing Residential – R2 Land" is in proximity to recently provided large scale transport and service infrastructure, both existing and planned, that serves these developments in an environmentally optimal and entirely sustainable manner, without any further cost to the local authority. As such it represents appropriate use of Public funded and privately provided infrastructure.

On behalf of our client, we welcome the thrust of the Plan, and respectfully ask you to give consideration to the modest proposed amendments set out above.

Yours Faithfully,

  
Liam Waldron B.Arch. RIAI

On behalf of MRG Consulting Engineers

cc Shaun Hegarty

CUNNANE STRATTON REYNOLDS

CSR Ref: 19290/JO/131219 Rev C

Senior Planner  
 Planning Policy Unit  
 Planning Department  
 Kerry County Council  
 County Buildings  
 Rathass  
 Tralee

13<sup>th</sup> December 2019

**By Post and Email**

**Re: Submission on Proposed Variation No. 3 of the Listowel Town Development Plan 2009-2015**

**1.0 Introduction**

Cunnane Stratton Reynolds have been engaged by John Whelan of Greenville Primary Care Limited to prepare a submission on Proposed Variation No. 3 of the Listowel Town Development Plan 2009-2015.

**2.0 Reason for Submission**

Part of our clients landowning is subject to a potential change of zoning in Proposed Variation No. 3 of the Listowel Town Development Plan from the existing "*Community Facilities and Ancillary Residential*" zoning under the adopted Listowel Town Development Plan 2009-2015 (as extended and varied) to the proposed "*Mixed Use – Built Up Area*" zoning set out in Proposed Variation No. 3 to the Listowel Town Development Plan.

Our client welcomes and is fully supportive of the proposed change in zoning and considers it to be in accordance with current national and regional planning policies and guidance.

**3.0 Site Location**

Our client's land holding is located on the northern side of Convent Road, Listowel as shown in Figure 1 below. Our client owns the former Presentation Convent (Site A) which comprises circa 0.7Ha and is now vacant and disused. Our client also retains an interest in the adjoining site (Site B) which comprises circa .53Ha and is currently being developed as a Primary Care Centre. The former convent building is listed on the National inventory of Architectural Heritage (NIAH) under Reg. No. 21400285 and is a protected structure (No. 66) in the Listowel Town Development Plan 2009-2015.

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DIRECTORS  
 Joe Cunnane BA (Hons) Dip TP MRTPI MIPi  
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The former convent building is described as follows on the NIAH register:

*Detached U-plan five-bay three-storey late-Georgian style house, built c. 1835, with round-headed door opening to centre. Now in use as convent. Renovated and extended, c. 1900, with single-bay two-storey end bay to east, seven-bay two-storey wing at right angles to south and three-bay three-storey wing to west with five-bay double-height chapel at right angles to south having single-bay double-height transept to west elevation and entrance bay to south gable. Five-bay two-storey return to north-east. M-pitched and hipped slate roof with lead ridge tiles and rendered chimneystack. Roughcast rendered walls with raised render quoins. Rubble stone east wall to chapel. Painted rendered walls to east wing and rear. Limestone sills to timber nine-over-six and six-over-six pane sliding sash windows. Windows to left ground floor have leaded panels. Arched doorway with moulded surround, Ionic doorcase with modillion cornice, fanlight and limestone threshold. Gateway, built c. 1835, to south comprising pair of cast-iron piers with cast-iron gates and railings. Pedestrian gateway, built c. 1835, to south comprising square-headed door opening with limestone ashlar block-and-start surround having cross finial over on a stepped base.*

**Figure 1: Site Location**



Presentation Secondary School is located to the east of the site, Listowel Community Hospital and Writer's Grove (HSE day care centre) are situated to the west of site. Nano Nagle School is situated to the north. The wider site area to the west and north is characterised by residential development and Listowel Town Centre is just 500m to the east.

## 4.0 Planning History

There have been no recent planning applications on Site A. A record of planning history for Site B is set out in the following tables.

<b>Planning Ref</b>	19/1151
<b>Applicant</b>	Valley healthcare fund infrastructure investment fund icav
<b>Date Received</b>	11/11/2019
<b>Description</b>	Construct an extension to the primary care centre previously granted under planning refs. 12/404008, 12/494008, 19/620 and which is currently under construction. The two storey extension shall provide for additional medical suites / accommodation, with all associated site works and parking.
<b>Decision</b>	n/a
<b>Decision Date</b>	Decision due 6 <sup>th</sup> January 2020

<b>Planning Ref</b>	19/620
<b>Applicant</b>	Valley healthcare fund infrastructure investment fund
<b>Date Received</b>	14/07/2019
<b>Description</b>	To carry out modifications and amendments to a permitted primary care centre granted permission and subsequently extended under p12/4008. The modifications include (a) provision of 4 no. Additional windows at ground and first floor level to enhance natural light to the medical suite and internal circulation area (b) replacement of a permitted door including canopy at ground floor level with a window (c) reduction of the parapet height to the central section of the building and (d) reduction in the number of roof lights from 5 to 2 at roof level, (e) minor modifications to facade treatment on southern elevation.
<b>Decision</b>	Conditional Grant of Permission
<b>Decision Date</b>	07/08/2019

<b>Planning Ref</b>	12/4008
<b>Applicant</b>	Austin Dennany
<b>Date Received</b>	30/11/2017
<b>Description</b>	Construct a new two-storey Primary Care Centre, consisting of Regional Primary Care Centre, General Practitioners Care Centre, Medical Suite, Public Entrances on Ground Floor, 50 car parking spaces and all associated site works including part demolition of existing stonewall to form new vehicular entrance.
<b>Decision</b>	Condition Grant of Permission. First and third party appeals lodged.
<b>Decision Date</b>	Modified decision by ABP (Ref. PL67.240854) on 08/02/2013. Consent extended by a period of 5 years until 7 <sup>th</sup> February 2023.

## 5.0 Planning Policy

### 5.1 Current Statutory Context

The policies and objectives of the Listowel Town Development Plan 2009-2015 (as extended and varied) apply to our clients overall landholding.

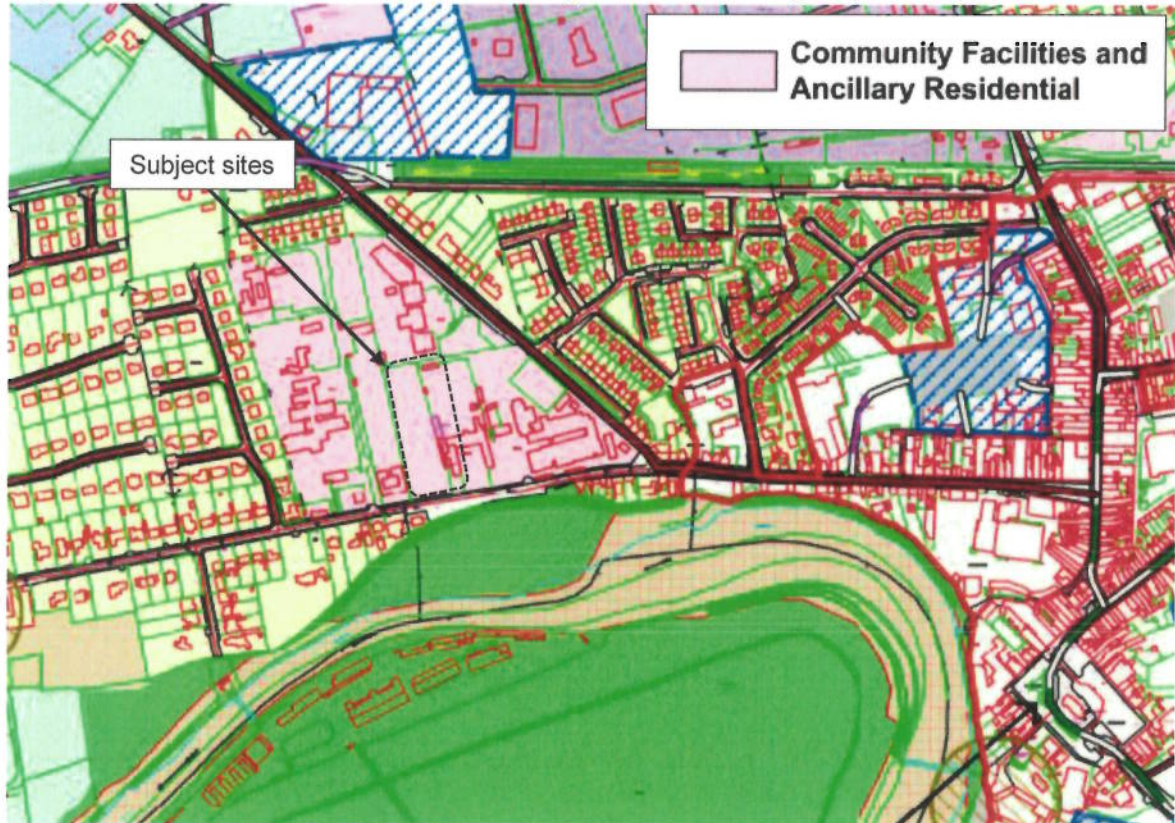
Both sites are currently zoned "Community Facilities and Ancillary Residential" in the adopted Listowel Town Development Plan 2009-2015 (as extended and varied) as shown in Figure 2



below. The objective of the Community Facilities and Ancillary Residential Development zoning is:

*“To primarily provide for community facilities such as schools, churches, burial grounds, community buildings, medical, childcare, nursing homes and assisted housing. Residential, ancillary and other uses compatible with the principle permitted uses will be open to consideration.”*

**Figure 2:** Extract from Listowel Town Development Plan Zoning Map



## 5.2 Proposed Variation No 3 to the Listowel Town Development Plan

Proposed Variation No. 3 to the Listowel Town Development Plan includes a change of zoning for our client's land holding at Convent Road from the existing "Community Facilities and Ancillary Residential" zoning to "M4, Mixed Use – Built Up Area" zoning as shown in Figure 3 below.

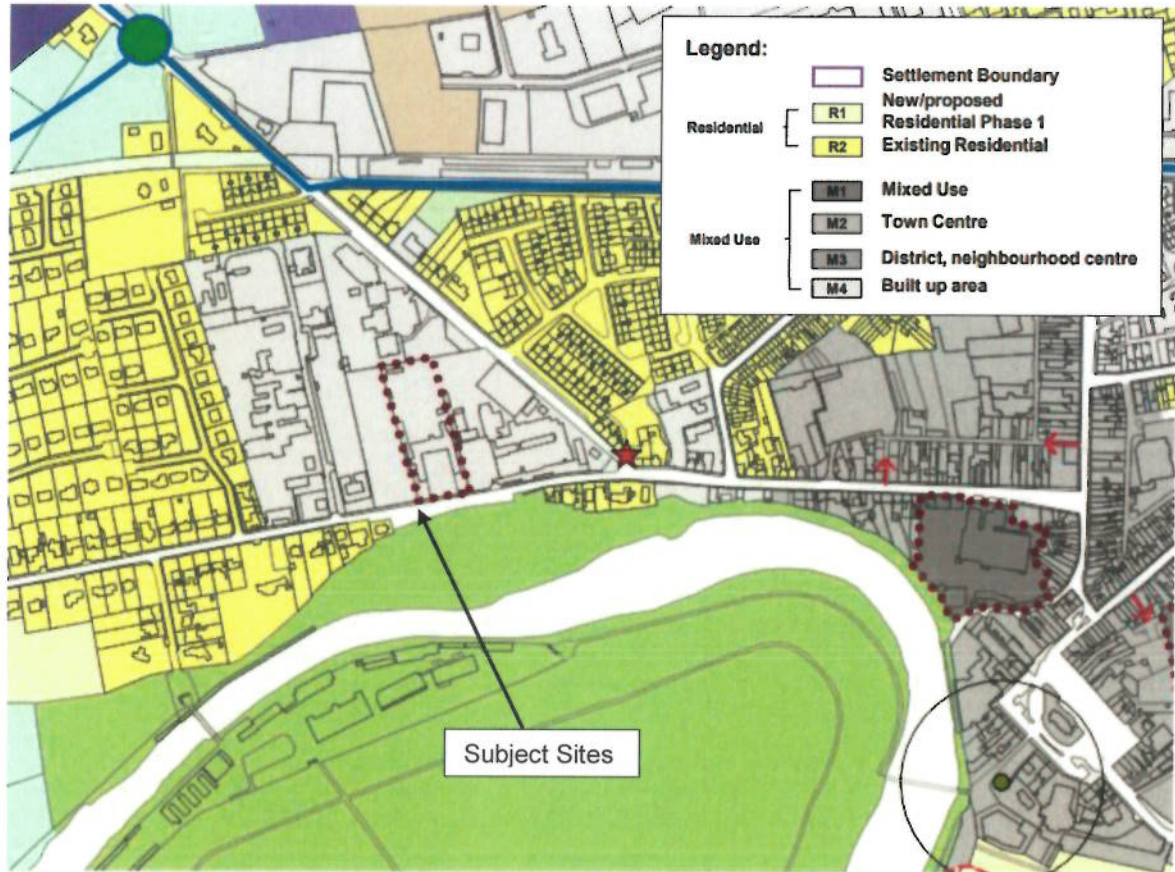
It is noted that Mixed Use sites are intended to cater for zones which are specifically mixed use in nature and provide for a wide range of uses. It is policy to primarily provide for mixed uses and any other uses appropriate to the town centre in areas zoned mixed use. Proposed developments should improve the vitality and viability of the town centre and shall meet the needs of the town. Residential development will be encouraged particularly in mixed use developments.

In addition, Site A (former Convent Site) is identified as an opportunity site in Proposed Variation No. 3 where the aim is 'to promote the regeneration of these historic buildings by sustainably redeveloping this large brownfield site as a new mixed-use urban area in order to ensure a sustainable urban extension to existing town centre facilities and infrastructure.' The



Variation document goes onto state that 'the site has potential for significant mixed-use/tourism/educational development, including residential/hotel accommodation.' These Opportunity Sites are identified as being of prime importance to the economic regeneration and urban fabric enhancement of the town.

**Figure 3:** Extract of zoning map from Proposed Variation No. 3 to Listowel Town Development Plan



Our client strongly supports the change of zoning proposed under the Proposed Variation No. 3 to the Listowel Town Development Plan.

The potential change of zoning to 'mixed use – built up area' provides an opportunity to redevelop the Former Convent Site with a number of potential suitable uses identified in the Proposed Variation document including residential/hotel accommodation as well as tourism related uses or educational uses.

Site B has extant planning permission for a Primary Care Centre which is under construction at present. A change in zoning to mixed use will facilitate further development on this site through an expansion of the Primary Care Centre.

### 5.3 Wider Policy Considerations

Kerry County Development Plan 2015



Listowel is identified in the Kerry County Development Plan Settlement Hierarchy as a Regional Town. Regional Towns are 'smaller in scale than Hub towns but strong active growth towns and economically vibrant.' The change in zoning for our client's landholding will facilitate development that can strengthen the position of Listowel within the settlement hierarchy.

The former Convent site will make a valuable contribution to property supply in Listowel in a highly sustainable location close to existing shops and services. The Kerry County Council Development Plan sets a population growth allocation for Listowel of 314 persons over the Plan period and if this site was developed for residential development it would go some way to accommodating this targeted growth. It is noted that a residential use is one of many potential uses that could be developed on this site with a mixed-use – built up area zoning.

Our client is committed to developing the former Convent site and will benefit from the flexibility of uses the mixed use zoning allows for when exploring the development potential of the site. The redevelopment of this site and the completion of the Primary Care Centre on the adjoining site will result in a significant improvement to the area.

#### *The National Planning Framework (NPF) 2018*

In accordance with the NPF the proposed variation places a greater emphasis on renewing and developing the existing built up area rather than the continued expansion and sprawl of the town with a target of at least 30% of new housing to be delivered within the existing built up area on infill and/or brownfield sites. As noted the use of under-utilised, infill and brownfield lands will result in higher housing and jobs densities attracting improved public facilities and public transport.

The redevelopment of the former Convent site for residential or employment/tourism use would fully accord with the provisions of the National Planning Framework where there is a focus on compact growth and an 'emphasis on renewing and developing existing settlements.'

The former Convent is a brownfield site and benefits from good pedestrian connectivity to the Town Centre which is located just 500m to the east. Our client is keen to return an active use to the site and the proposed change in zoning for the site encourages development.

#### *The Draft Southern Regional Assembly Regional Spatial and Economic Strategy 2018 (RSES)*

The redevelopment of the site would support the draft Southern Regional Assembly Regional Spatial and Economic Strategy (RSES) where the vision for the Southern Region is to "promote the Southern Region as an attractive, competitive and sustainable place to live, work and visit, a region of considerable opportunity for growth based on the quality of its cities, town and rural areas, well development physical and social infrastructure, a diverse modern economy and a pristine natural environment."

The following RSES objectives are particularly relevant to our client's sites.

The Draft RSES confirms the NPF focus on compact growth through RPO 32 which states that:

*"Local Authorities, through Development Plan and Local Area Plan policies, shall identify rejuvenation priorities within our region's settlements which demonstrate achievement of National Strategic Outcome: Compact Growth".*

The Draft RSES also focuses on the concept of the 10 minute city. RPO168 seeks:

*“To attain sustainable compact settlements with “10-minute” city and town concepts, whereby, a range of community facilities and services are accessible in short walking and cycle timeframes from homes or are accessible by high quality public transport services by connecting people to larger scaled settlements delivering these services. Local Authorities should ensure that decision making in relation to new infrastructure to provide improved connectivity is informed by an appropriate level of environmental assessment”.*

## 6.0 Conclusion

Our client supports the provisions of Proposed Variation No. 3 to the Listowel Town Development Plan and in particular the proposed change of zoning to ‘mixed-use build up area’ on his landholding at Convent Road, Listowel. The proposed change in zoning will 1) facilitate the redevelopment (modification, refurbishment, change of use etc) of the former Presentation Convent, in a sustainable location within the urban area of Listowel close to the Town Centre and 2) allow for an expansion to the permitted and under construction Primary Care Centre.

The proposed change of zoning is fully in accordance with the current national and regional planning policies and guidance which seeks more compact urban development to make more efficient use of land.

Yours sincerely,



**Jan Oosterhof** BSocSc MPlan

Executive Planner

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