

# Gowran Local Area Plan 2010



## Manager's Report on Submissions Received to the Material Alterations to the Draft Gowran Local Area Plan

Forward Planning,  
Kilkenny County Council

15<sup>th</sup> November 2010

## 1.0 Introduction

This report presents the submissions and observations made following the display period (8<sup>th</sup> October to 5<sup>th</sup> November, 2010) of the Proposed Material Alterations to the Draft Gowran Local Area Plan, and sets out the Manager's response to the issues raised. The report forms part of the statutory procedure for preparing a Local Area Plan (LAP) that is set out in Section 20 of the Planning and Development Acts, 2000-2010.

A total of 3 written submissions and observations were received.

## 2.0 Contents of Manager's Report

Part A of this Manager's Report:

- Lists the persons who made submissions or observations;
- Summarises the issues raised in the submissions or observation;
- Contains the opinion of the Manager in relation to the issues raised and his recommendations in relation to the proposed material alterations, taking account of:
  1. The proper planning and sustainable development of the area,
  2. The statutory obligations of any local authority in the area,
  3. Any relevant policies or objectives of the Government or of any Minister of the Government.

Under the heading of 'Matters Arising', Part B responds to comments and observations raised through internal circulation of the Proposed Material Alterations within the County Council and statutory bodies.

Any paragraph, policy or objective to be amended in the LAP is reproduced in full, with deleted text (~~struck through~~) and additional text *in italics*.

### 3.0 Progress to Date and Next Steps

To date, the process of preparing the LAP for Gowran has been as follows:

30 <sup>th</sup> October 2009	Formal notification in <i>Kilkenny People</i> of intention to prepare LAP and preparation of Draft LAP.
11 <sup>th</sup> November 2009	Public workshop held in Gowran.
Dec. 2009 – May 2010	Preparation of Draft LAP.
28 <sup>th</sup> May- 9 <sup>th</sup> July 2010	Draft LAP placed on Public Display for a period for 6 weeks and the public and other bodies/organisations made written submissions/ observations.
22 <sup>nd</sup> June 2010	Public information evening in Gowran as part of the consultation process.
20 <sup>th</sup> September 2010	Manager's report on submissions to the Draft LAP considered by Members at the September Council meeting
8 <sup>th</sup> October to 5 <sup>th</sup> November	Proposed Material Alterations placed on public display and the public and other bodies/organisations made written submissions/ observations.
Current Stage	Manager's Report on submissions to the Proposed Material Alterations prepared and submitted to the Members for their consideration.

Following consideration of this Manager's report, the local area plan shall be made by resolution, with all, some or none of the material alterations as published. Where the planning authority decides to make the plan or change the material alteration of the plan by resolution, it shall be necessary to be passed by not less than half the members of the planning authority. A further modification to the material alteration may be made where it is minor in nature and therefore not likely to have significant effects on the environment and shall not be made where it refers to an increase in the area of land zoned for any purpose, or an addition to or deletion from the record of protected structures. Where performing their functions, the members of the planning authority shall be restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

4.0 Submissions Received and Manager’s Response and Recommendation

<b>Name/Group:</b>	<b>Cian O’Mahony, EPA</b>	
<b>Submission GMA1:</b>	<b>Manager’s Response:</b>	<b>Manager’s Recommendation:</b>
<p>1) The EPA acknowledges the approach taken by the Council to screening for significant environmental effects. The Agency welcomes the incorporation of many points raised in its SEA screening submission on the Draft Gowran Local Area Plan.</p> <p>2) Any future Amendments to the Plan should be assessed for significant effects on the environment, taking account of the SEA Regulations Schedule 2A criteria, in the same way as the Draft Plan was assessed.</p> <p>3) It should be ensured that the policies/objectives of the LAP are consistent with those of the recently adopted South East Regional Planning Guidelines.</p> <p>4) The Council is reminded of its obligations under the SEA regulations to give notice as appropriate.</p>	<p>1) Noted</p> <p>2) Noted</p> <p>3) Noted. The LAP is consistent with the adopted South East Regional Planning Guidelines. The text will be corrected to refer to the adopted RPGs.</p> <p>4) Noted.</p>	<p>1) No change recommended.</p> <p>2) No change recommended.</p> <p>3) Change text as follows: 2.1.1 The <del>Draft</del> <i>South Eastern Regional Planning Guidelines</i> were <del>published</del> <i>adopted</i> in <del>December 2009</del> <i>July 2010</i> and these set out the population projections for the region as a whole, which local authorities must have regard to.</p> <p>4) No change recommended.</p>

<b>Name/Group:</b>	<b>Department of Communications, Energy and Natural Resources, Carmel Conaty, Co-ordination Unit</b>	
<b>Submission GMA2:</b>	<b>Manager’s Response:</b>	<b>Manager’s Recommendation:</b>
The Department has no comments.	Noted.	No change recommended.

Name/Group:	Tim Brennan		
Submission GMA3:	Manager’s Response:	Manager’s Recommendation:	
<p>▪ The submission seeks a change to the wording in section 3.2.5 Integrated Tourism and Leisure in relation to Enabling Development at Gowran Castle.</p> <p>The submission seeks to change the second and third bullet point to read as follows:</p> <ul style="list-style-type: none"> <li>▪ “The castle roof and windows are repaired to an agreed standard which will make the castle weather-proof and prevent further damage to its internal structures. This will be done as early as possible in the course of the enabling development.</li> <li>▪ The restoration of the rest of the castle will be carried out over an agreed timeframe after completion of the enabling development”</li> </ul>	<p>The text in the Draft Plan stated that planning permission for enabling development would only be considered if</p> <ul style="list-style-type: none"> <li>▪ “The Castle is repaired to an agreed standard as early as possible in the course of the enabling development, ideally at the outset and certainly before completion or occupation;</li> <li>▪ The monitoring of implementation is achievable”</li> </ul> <p>This submission therefore suggests clarification that the ‘repair’ of the castle is limited to its roof and windows. On this basis, enabling development (i.e. a use that does not strictly correspond to the zoning objective) could be permitted.</p> <p>Having discussed the wording of Section 3.2.5 with the Conservation Officer, it is considered that the repair and re-use of the Gate Lodge should be included as part of the criteria for Enabling development, and depending on the nature of the enabling development proposed, the restoration of the castle could be completed over a longer term period.</p> <p>While this is a change to a part of the Plan which did not form part of the material alterations, it is considered that the change is minor, and not of a material nature and therefore can be accommodated at this time.</p>	<p>Change text in Section 3.2.5 as follows:</p> <p><u>Enabling Development:</u> The Council may consider other uses which would enable the restoration of the house <i>and Gate Lodge and maintain the integrity of the Demesne</i> provided it meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• The enabling development will not materially detract from the archaeological, architectural, historic, landscape or biodiversity interest of the asset, or materially harm its setting</li> <li>• The proposal avoids detrimental fragmentation of management of the Demesne</li> <li>• The enabling development will secure the long term future of the Castle, <i>Gate lodge</i> and Demesne and its continued use for a sympathetic purpose</li> <li>• It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the Castle and that its form minimises the disadvantages</li> </ul> <p>Planning permission for such a use would only be considered if:</p> <ul style="list-style-type: none"> <li>• The achievement of the restoration of the Castle <i>and Gate Lodge</i> <del>is are</del> securely and enforceably linked to it;</li> <li>• The Castle <i>and Gate Lodge</i> <del>is are</del> repaired to an agreed standard as early as possible in the course of the enabling development, <del>ideally at the outset and certainly before completion or occupation;</del></li> <li>• The monitoring of implementation is achievable</li> </ul>	

## 5.0 Matters Arising

### 1.3 Context

The M9 Motorway (~~Carlow-Knocktopher section~~) runs to the north of the town. ~~The entire M9 is scheduled for opening by the end of 2010.~~

### 1.7 Population

The trends in population from 1969 ~~1961~~ to the present are shown in Table 1 below.

Table 1: Population in Gowran between 1961 and ~~2008~~ 2010

### 2.5.1 Roads

~~Gowran is located on the N9, the national route linking Dublin to Waterford. The M9/M10 Kilcullen to Waterford scheme is under construction at present, and the section bypassing Gowran, the Knocktopher-Powerstown section, is due for opening by the end of 2010. This road will act as a bypass for the town and will relieve much of the heavy through traffic from the main street. When the M9 opens, the N9 will be reclassified as a regional road, the R448.~~

*Gowran is located on the R448, which was the former N9. The M9 motorway linking Dublin to Waterford, runs to the north of the town. The motorway acts as a bypass for the town and relieves much of the traffic from the main street.*

### 2.6.1 Open Space

Last paragraph

To the west of the Waterford Road this stream is no longer in existence. In the future the Mill Race could be reinstated, subject to *both* the agreement of the adjacent landowners *and relevant statutory requirements*.

## Maps

Map 3: Archaeological Heritage

Insert (*possible*) after Line of town defence in the legend.