9 General Location and Pattern of Development and Land Use

Zoning Objectives

9.1 Introduction

The purpose of zoning is to indicate to property owners and the general public the type of development which the Planning Authority considers most appropriate in each land use category. Zoning is designed to reduce conflicting uses within areas, to protect resources and, in association with phasing, to create a basis for investment in public and private infrastructure and facilities thereby ensuring that land suitable for development is used to the best advantage of the community as a whole.

Zoning policy must also have regard to the strategic policies underlying the Development Plan\(^1\). These include the principles of sustainable development, the integration of land use and transportation planning, the concept of the compact city, the neighbourhood strategy and the protection of natural resources.

The criteria for zoning policy are:

- National/Regional/Local Policy Context. (i.e. the NSS, Regional Planning Guidelines, PLUTS, etc.)
- Development Strategy outlined in Chapter 2
- Assessment of need
- Water, drainage and road infrastructure (existing and planned)
- Supporting infrastructure. (social, community, commercial, existing and planned)
- Physical suitability
- Environmental policy (ground and surface water quality, flooding, etc.)
- Heritage policy
- Sequential approach\(^2\)

The zoning strategy is designed to ensure that adequate, suitably located and serviced land is available to cater for the orderly development of the City and Environs having regard to:

- The need to deliver a compact urban form for the City & Environs and reduce urban sprawl
- The need to reduce reliance on private transport
- The maintenance of a clear line between the built-up urban area and the rural area
- The promotion of sustainable residential densities in the City & Environs
- The promotion of balanced development between different areas of the City & Environs.
- The promotion of the neighbourhood concept as outlined in Chapter 3.

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\(^1\) Zoning Policy as outlined in the Manager’s Report on the pre draft consultations.

\(^2\) Sequential Approach- zoning should extend outwards from the core of an urban area, with undeveloped lands closest to the core and public transport routes being given preference. In addition, areas to be zoned should be contiguous to existing zoned development lands.
- The maintenance of a vibrant and vital city centre

Section 8 of the Planning & Development Act 2000 provides that there shall be no presumption in law that any land zoned in a Development Plan shall remain so zoned in any subsequent Development Plan.

9.2 Development Strategy

The development strategy for the City & Environs has been outlined in Chapter 3 of this Draft Development Plan.

During the period of the last plan a Local Area Plan was adopted for the Western Environs Area of the City which zoned 114 hectares of land for development of residential neighbourhoods, community and employment uses. Development has commenced in this area on the basis of the existing services and some 76 housing units have been completed. A further 464 units are granted planning permission. The Compulsory Purchase Order necessary to deliver infrastructure to release the remaining lands for development is awaiting confirmation with the completion of the scheme expected by the end of 2008.

The Local Authorities commenced the preparation of a Local Area Plan for Loughmacask Area during the period of the last plan. This Local Area Plan is now on public display. The Loughmacask Plan will be structured in such a way to allow acceptable servicing proposals to come forward which will remove the existing deficiencies in the area.

The population projections indicate a demand for housing to satisfy a housing need for an extra 3,128 people between 2008 and 2014. Taking an average occupancy of 2.5 people this equates to 1,251 households. Applying a density of 24 units per hectare (10 units per acre), 52 hectares would be required. Applying an average density of 30 units per hectare (12 units per acre) there is a requirement of 41 hectares.

The Western Environs LAP contains 94 hectares of uncommitted residentially zoned land. The Loughmacask LAP contains 71 hectares of land which is likely to be released in the immediate future. In addition, there are available residential lands within the Borough Council’s administrative area at Robertshill and through other brown-field sites.

Under this strategy there will be in excess of 166 hectares of land zoned and available for development within the plan period.

There is a further 242 hectares of land within the plan’s development boundary which are at present zoned for agriculture and which can be used into the future for further development of the City & Environs.

The completion of the M10 Motorway project will result in the Hebron Road becoming the main entrance to the city. The current land uses along the Hebron Road do not reflect or promote the future role of this road as an entrance corridor to the city. In order to stimulate re-development along the Hebron Road, a new mixed use zoning has been introduced.
Any development that takes place along this corridor will have to reflect and promote the role of the Hebron Road as the main entrance corridor to the city. This will require a high quality built environment.

In addition, this zoning has been applied at White’s Bridge on the Kennyswell Road in the area of Robertshill to allow for a more balanced form of development, considering the proximity of lands to the city centre and the existing residential use in the area.

**Mixed use zoning at Robertshill**
The following specific objectives will apply to these lands:

1. No vehicular connection to be permitted between the Inner Relief Road and Kennyswell Road through the site.
2. Public open space to be provided along the Breagagh River, to form part of the Breagagh Regional Park.
3. Any residential component of the site to be readily accessible from the park lands.
4. An overall Framework Plan of the entire site shall be submitted at planning application stage.
5. Any development on the site must have due regard to the amenities of existing residences.

**Dublin Road Mixed Use**
Significant development proposals for these lands must address the entire area zoned for mixed use development bounded by the Sion Road, the Ring-Road, the Dublin Road and the residential development to the south.

**ACTION**
To prepare an Urban Design Framework Plan for the Hebron Road as the main entrance corridor to the city.

### 9.2.1 Phasing of Development
Due to the existence of large undeveloped areas of land within the Development Boundary, the Planning Authority will continue to control the phasing of development as necessary through the preparation of Local Area Plans as the need arises.

### 9.3 Zoning Objectives
It is proposed to designate thirteen land use zones in this Draft Development Plan.

In this section:

*Permitted Use* means a use which is acceptable in the relevant zone. However, it is still the subject of the normal planning process. Uses listed under each zoning objective are generally acceptable in principle in the relevant zones. The schedule of Permitted Uses is intended as a guideline in assessing development proposals and should not be regarded as being exhaustive.
Open for Consideration means a use which may be permitted where the Planning Authority is satisfied that the suggested form of development will be compatible with the policies and objectives for the zone, and will not conflict with the permitted uses and also conforms with the proper planning and development of the area.

9.3.1 Agriculture
Objective: To conserve and protect agricultural land from interference from non-agricultural uses. To prevent premature development of agricultural land adjacent to development areas.

Permitted Uses: Agriculture, horticulture, public service installations.

Open for Consideration: Public Open Space, guesthouse, restaurant, Nursing home, dwelling houses in certain limited cases as outlined in Section 10.27, halting site, private open space, other uses not contrary to the proper planning and development of the area.

9.3.2 Low-density Residential
Objective: To protect, provide and improve residential amenities at low density.

Permitted Uses: Dwellings, open spaces, places of worship, community facilities, halting sites, public service installations, childcare facility, nursing homes, Bed and breakfast establishments and guesthouses, home-based economic activity, parks and open spaces, playing fields, local convenience shop, nursing homes, and medical centre.

Open for Consideration: public house, hotel, restaurant.

9.3.3 Residential
Objective: To protect, provide and improve residential amenities.

Permitted Uses: Dwellings, open spaces, places of worship, community facilities, halting sites, public service installations, childcare facility, nursing homes, Bed and breakfast establishments and guesthouses, home-based economic activity, parks and open spaces, playing fields, local convenience shop, nursing homes, and medical centre.

Open for Consideration: public house, hotel, restaurant.

9.3.4 Low-density Residential
Objective: To protect, provide and improve residential amenities at low density.

Permitted Uses: Dwellings, open spaces, places of worship, community facilities, halting sites, public service installations, childcare facility, nursing homes, Bed and breakfast establishments and guesthouses, home-based economic activity, parks and open spaces, playing fields, local convenience shop, nursing homes, and medical centre.

Open for Consideration: public house, hotel, restaurant.
9.3.5 General Business  
Objective: To provide for general development.  

Permissible Uses:  
Dwellings, retailing, retail warehousing, wholesale outlets, offices, public buildings or places of assembly, cultural or educational buildings, recreational buildings, halting sites, hotels, motels, guest houses, clubs, private garages, open spaces, public service installations, medical and related consultants, restaurants, public houses, car parks, halls or discotheques, and other uses as permitted and open for consideration in residential zoning.  

Open for Consideration: open space, workshop or light industry.

9.3.6 Neighbourhood Centres  
Objective: To provide for local shopping, non retail services, community and social needs.  

Permitted Uses: Supermarket (for local neighbourhood needs only), newsagents, car park, office above street level, place of worship, library, public building or place of assembly, cultural or recreational facility, leisure centre, medical consultancy, Playgroup or crèche, restaurant, public house, hotel/motel, guest house, coffee shop, travel agents.  

Open for Consideration: open space, workshop or light industry above street level, off-license.

9.3.7 Recreation, Amenity and Open Space  
Objective: To preserve, provide and improve recreational open space.  

Permitted Uses: Open space, sports clubs, recreational buildings, stands, pavilions, agricultural uses, halting site, and public service installations.

9.3.8 Community Facilities  
Objective: To protect, provide and improve community facilities.  

Permitted Uses: Educational, religious and cultural facilities, public buildings, schools, churches, hospitals, convents, community centres and halls, school playing fields, colleges, orphanages, hostels, halting sites, cemeteries, libraries, public service installations and nursing homes.

9.3.9 Industrial/Warehousing  
Objective: To provide for industrial employment and related uses.  

Permitted Uses: General industrial uses and ancillary offices, open spaces, warehouses, car and heavy vehicle parks. Petrol filling stations civic amenity/recycling centre local convenience shop, Automated teller machines, car showrooms advertisement structures wholesale premises, public service installations, play school/crèche, repair garages, telecommunications structure, public service installations, waste transfer stations  

Open for Consideration: science and technology based industry, restaurant, halting sites.
9.3.10 Industrial/ Technology Park
Objective: To provide for industry and information technology-related industrial and office development and ancillary services. The purpose is to encourage mainly services type employment on a campus environment.

Permitted Uses: Industrial premises and office based industry, Car parks, crèches, local convenience shop, Automated teller machines, open spaces, warehouses.

Open for consideration: recreational use/buildings, public service installations and conference facilities, restaurant, waste transfer stations

9.3.11 Business Park
Objective: To provide for commercial activity including industry, information technology-related industrial and office development and ancillary services and retail warehousing

Permitted Uses: Car park, park and ride facility, childcare facility, community facility, enterprise centre, funeral home, light industry, medical and related consultants, office based industry, science and technology based industry, car showrooms local convenience shop of not more than 300m² (gross), automated teller machines, restaurant, conference facilities, public service installations, hotel, warehousing, including retail warehousing.

Open for consideration: recreational use/buildings, public service installations and waste transfer stations

Not Permitted: retailing other than retail warehousing

Where permission is granted for retail warehousing, conditions will be attached restricting the sale of goods to bulky goods as defined in the plan and restricting the size of individual units. The County Council or Kilkenny Borough Council will take enforcement action against developers to ensure compliance with these conditions.

3 Retail warehousing is defined as large single level stores specialising in the sale of bulky household goods or goods sold in bulk. Bulky Goods to be defined as:
Goods generally sold from retail warehouses where DIY goods or goods, such as flatpack furniture are of such a size that they would normally be taken away by car and not manageable by customers travelling by foot, cycle or bus or that large floor areas would be required to display them e.g. furniture in room sets, or not large individually but part of a collective purchase which would be bulky e.g. wallpaper and paint. In the interests of clarity this definition excludes such items as non-durable household goods, alcoholic and non-alcoholic beverages, tobacco, food, and small personal and household items.
9.3.12 Mixed Use
Objective: To consolidate and facilitate the development of inner suburban sites for mixed use development which will allow for commercial and residential uses.

Permitted Uses: Dwellings, open spaces, places of worship, community facilities, halting sites, public service installations, nursing homes, Bed and breakfast establishments and guesthouses, home-based economic activity, parks and open spaces, playing fields, nursing homes, car park, park and ride facility, childcare facility, community facility, enterprise centre, funeral home, light industry, medical and related consultants, office based industry, science and technology based industry, local convenience shop, automated teller machines, restaurant, conference facilities, public service installations, hotel, warehousing, including retail warehousing⁴.

Open for Consideration: recreational use/buildings, waste transfer stations and public house.

9.3.13 Agricultural Trade
Objective: To develop a centre of excellence and one stop shop for agricultural related trade and activities with an emphasis on high value added activities, by providing for and improvement of agricultural trade, related uses and ancillary activities and services and to provide for industrial employment and related uses.

Permitted Uses: Livestock market, and related uses and agricultural trade, Agricultural science and technology based industry, local convenience shop, automated teller machines, restaurant, Farm/agricultural business, Farm advisory business, Veterinary suppliers, Veterinary practitioners, General industrial uses and ancillary offices, open spaces, warehouses, car and heavy vehicle parks. Petrol filling stations civic amenity/recycling centre, car showrooms, advertisement structures wholesale premises, public service installations, play school/créche, repair garages, telecommunications structure, public service installations, waste transfer stations.

Not Permitted: Retailing including retail warehousing, and comparison goods and non agricultural related-office/commercial development.
The industrial and related uses should not extend to more than 40% of the entire area zoned.

⁴ Retail warehousing is defined as large single level stores specialising in the sale of bulky household goods or goods sold in bulk. Bulky Goods to be defined as: Goods generally sold from retail warehouses where DIY goods or goods, such as flatpack furniture are of such a size that they would normally be taken away by car and not manageable by customers travelling by foot, cycle or bus or that large floor areas would be required to display them e.g. furniture in room sets, or not large individually but part of a collective purchase which would be bulky e.g. wallpaper and paint. In the interests of clarity this definition excludes such items as non-durable household goods, alcoholic and non-alcoholic beverages, tobacco, food, and small personal and household items.
9.4 Non-Conforming Uses
Throughout the City and Environs there are uses which do not conform to the zoning objectives for the area. Extensions to and improvement of premises accommodating these uses may be permitted where the proposed development would not seriously injure the amenities of the area or prejudice the proper planning and development of the area. In some cases, the Planning Authority may encourage relocation of permitted incompatible uses, for example by exchange of sites.

9.5 Transitional Areas
While the zoning objectives indicate the different uses permitted in each zone, it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones. In these areas, it is necessary that developments are designed in a manner which would not be detrimental to the amenities of the more environmentally sensitive zone. For instance, in zones abutting residential areas particular attention must be paid to the uses, scale, density and appearance of development proposals and to landscaping and screening proposals in order to protect the amenities of these residential areas.