

CHIEF EXECUTIVE REPORT

Report submitted in accordance with Section 19 of the Planning and Development Act, 2000 (as amended), in relation to the Kiltiernan/Glenamuck Local Area Plan, 2012

Advice to the Elected Members on the proposal to invoke their powers under Section 19 of the Planning and Development Act, 2000 (as amended), and provide for the extension of the valid life of a Local Area Plan, in this case the extension of the valid life of the Kiltiernan/Glenamuck Local Area Plan for a further period, being not greater than five (5) years.

1. Legislation

Section 12 of the Planning and Development (Amendment) Act, 2010, (which amends Section 19 of the Principal Act) provides for the extension of the valid life of a Local Area Plan from 6 years for a further period not exceeding 5 years.

Section 12 of the Amendment Act, 2010, states:

- (d) *'Subject to paragraph (e), not more than 5 years after the making of the previous local area plan, a planning authority may, as they consider appropriate, by resolution defer the sending of a notice under section 20(3)(a)(i) and publishing a notice under section 20(3)(a)(ii) for a further period not exceeding 5 years.*
- (e) *No resolution shall be passed by the planning authority until such time as the members of the authority have:*
 - (i) *notified the manager of the decision of the authority to defer the sending and publishing of the notices, giving reasons therefore, and*
 - (ii) *sought and obtained from the manager—*
 - (I) *an opinion that the local area plan remains consistent with the objectives and core strategy of the relevant development plan,*
 - (II) *an opinion that the objectives of the local area plan have not been substantially secured, and*
 - (III) *confirmation that the sending and publishing of the notices may be deferred and the period for which they may be deferred.'*

2. Background

The Kiltiernan/Glenamuck Local Area Plan (LAP) was adopted by Dún Laoghaire-Rathdown County Council on 9th September 2013 and is valid for a period of six (6) years, until 9th September 2019. Amendments to the Planning and Development Act, 2010, mean that if the Council want to ensure that the lifespan of the Plan remains statutorily valid for 10 years, a Resolution must be made not later than 5 years from the original adoption of the Plan.

The Planning and Development (Amendment) Act, 2010, states that the Elected Members may determine by resolution not later than five (5) years after the making of the previous Local Area Plan, in this case not later than 9th September 2018, whether the Local Area Plan in question is to be reviewed or whether it is more appropriate to extend the life of the Plan for a period not exceeding an additional 5 years.

This report, therefore, comprises the Chief Executive's opinion:

- (i) that the Local Area Plan remains consistent with the objectives and Core Strategy of the relevant Dún Laoghaire-Rathdown County Development Plan 2016-2022,
- (ii) that the objectives of the Local Area Plan have not yet been substantially secured, and
- (iii) confirmation that the sending and publishing of the notices may be deferred and the period for which they may be deferred.

3. Compliance with Dún Laoghaire-Rathdown County Development Plan, 2016-2022

The Kiltiernan/Glenamuck Local Area Plan was originally adopted under the previous 2010-2016 Dún Laoghaire-Rathdown County Development Plan. Notwithstanding, the fundamental policies, objectives and Core Strategy relating to the Kiltiernan/Glenamuck LAP area in that earlier County Development Plan have effectively been transposed, en bloc, into the current 2016-2022 County Development Plan. Consequently the Kiltiernan/Glenamuck LAP continues to remain fully aligned and consistent with the current 2016-2022 County Development Plan.

The primary objective of the LAP is to advance the development of a new, compact mixed-use urban village that will ultimately accommodate circa 2500 residential units, a neighbourhood centre, two tranches of public open space and a large employment node adjacent to the established mixed-use development at The Park, Carrickmines and where residents will be within walking distance of supporting social and community infrastructure. The key elements of the overall planning scheme for the area include the proposal to provide a distributor road network that bypasses the Village Core of Kiltiernan, the implementation of a detailed Neighbourhood Framework Plan to consolidate that Village Core, the graduation of residential densities – from higher densities adjacent to the Luas line to lower densities further removed from this main public transport artery – and the implementation of a centrally-located major public open space/school site.

In terms of built form the LAP is quite prescriptive in relation to the permissible range of densities and building heights and generally seeks to echo the relatively low-rise context of the surrounding area. While the proposed residential densities are relatively modest in comparison with some of the other Key Development Areas across the County better located in relation to public transport corridors they fully accord with the provisions of Policy RES3:Residential Density of the 2016-2022 County Development Plan.

Section 1.2: Core Strategy of the 2016-2022 County Development Plan states that, *“The primary growth nodes from which a significant portion of the supply of residential units will derive up to the 2022 horizon (and beyond) include the Kiltiernan/Glenamuck LAP area”*. The continued development of the Kiltiernan/Glenamuck area, as envisaged in the LAP, consequently aligns with the imperatives advocated in the current County Development Plan Core Strategy in terms of contributing to the continuing delivery of a significant supply of the County’s new residential units in the short-to-medium term.

In accordance with the Planning and Development (Strategic Environmental Assessment) Regulations, 2004, the Planning Authority screened the Kiltiernan/Glenamuck LAP to determine whether or not the Plan would be likely to have significant effects on the environment. That original screening document concluded that a SEA was not required. The subsequent SEA Environmental Report prepared for the 2016-2022 County Development Plan states – in relation both to Chapter 1 (which provides a Strategic Overview and includes details on the County’s Core Strategy and Development Areas within the County) and to SLO No.40: *“To implement and develop the lands at Kiltiernan/Glenamuck in accordance with the Kiltiernan/Glenamuck LAP”* – that *“By planning higher density areas, providing incentives to facilitate densification of existing areas and providing development along existing or planned public transport corridors in a manner which is generally phased the Plan would:*

- *Avoid the need for unnecessary greenfield development in certain locations thereby contributing to the protection of many environmental components.*
- *Help to maximise the uptake in smarter, more sustainable modes of transport and so minimise transport-related emissions.*
- *Enable development to be served by existing water and drainage infrastructure, subject to capacity being provided.*

Potential adverse effects arising would be present during the implementation of this scenario – however, it would be possible to mitigate them and residual adverse effects would likely be non-significant.”

The Appropriate Assessment Screening Report of the 2016-2022 County Development Plan concluded - with regard to SLO No.40: "*To implement and develop the lands at Kiltiernan/Glenamuck in accordance with the Kiltiernan/Glenamuck LAP*" - that this objective would not give rise to any direct, indirect or cumulative potential impacts for any of the SPAs listed. In relation to the overall 2016-2022 County Development Plan the Natura Impact Report stated "*Provided the mitigation measures that are outlined in Table 5.3 above are included in the Plan it is considered that the 2016-2022 County Development Plan will not have a significant adverse effect on European Sites, and that the integrity of the European Sites, in view of their conservation interests, will not be adversely affected.*"

In relation to Flood Risk Management only a miniscule part of the LAP area – adjacent to a very small watercourse immediately north and north-east of Shaldon Grange - lies within either Flood Zones A or B.

4. The Objectives of the Local Area Plan Have Not Been Substantially Secured

Since the adoption of the Local Area Plan in 2013 a number of planning permissions have been granted on some of the potential development areas specifically identified in the LAP and over the last twelve months the amount of pre-planning and planning activity in the Plan area has increased exponentially. Actual construction has, however, commenced only relatively recently on a number of sites focussed primarily (i) along the Glenamuck Road South corridor and (ii) in the environs to the north of the Golden Ball. Overall, however, at this point in time the bulk of the various residentially zoned sites remain undeveloped.

While the relatively recent upsurge in planning activity and developer engagement is partially contributing to progressing the overall vision of the LAP, there remain a broad range of policies and objectives - particularly in relation to movement and accessibility, community uses and amenities and the Village Core - which have yet to be met. Detailed design work has now commenced on the Glenamuck District Distributor Roads and Surface Water Attenuation Scheme (GDDR) and since June 2017 a series of five meetings have been held with major stakeholders with land interests along the line of the route. Heads of Agreement have been tabled and are in the process of being finalised. If the outcomes are successful it is likely a review of the S.49 Supplementary Development Contribution Scheme - that will part-fund the GDDR - could be brought to the Elected Members some time later this calendar year.

There has been a significant upswing in momentum in the Kiltiernan/Glenamuck area over the last 18 months or so and every indication suggests that this is likely to continue for the foreseeable future. In light of the current national housing crisis it is therefore incumbent on the Planning Authority to seek to capitalise on this momentum in order to optimise early delivery of housing in the County. While it is acknowledged that the overall objectives of the Local Area Plan have yet to be substantially secured it is considered that the policies, objectives and Development Parcel Guidelines contained in the Kiltiernan/Glenamuck LAP remain both robust and relevant and can continue to inform and guide the ongoing development and future evolution of the new community in the Plan area.

5. Concluding Opinion

In summary, it is the opinion of the Chief Executive that,

- the Kiltiernan/Glenamuck Local Area Plan remains consistent with the objectives and Core Strategy of the current 2016-2022 Dún Laoghaire-Rathdown County Development Plan, and that
- the objectives of the Local Area Plan have not yet been substantially secured.

In these circumstances, and having regard also both to (i) the improving national economic climate and, (ii) the significant upturn in planning activity and momentum in the Plan area itself, it is appropriate that the life of the Kiltiernan/Glenamuck Local Area Plan be further extended for a period of five years, during which time the various policies and objectives contained therein can continue to be realised.

Accordingly it is recommended that the following Resolution be passed:

Contact: Dave Irvine, Senior Planner, Planning and Human Resources

Resolution

'To extend the life, by a further five years (i.e. up to and including 9th September 2023), of the Kiltiernan/Glenamuck Local Area Plan (2013), in accordance with the provisions of Section 19 of the Planning & Development Act, 2000, (as amended) which provides for the extension of the valid life of a Local Area Plan (LAP). The extension of the LAP is sought in order to provide Dun Laoghaire-Rathdown County Council, and all other relevant stakeholders, further time and opportunity to realise the strategic objectives of the LAP which, in light of the improving financial climate and economic sentiment, is both opportune and in accordance with the proper planning and sustainable development of the area'.

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