

RATHKEALE LOCAL AREA PLAN 2012 – 2018

Chief Executive's report submitted to Elected Members in accordance with Section 19 (1)(d) and 19(1)(e) of the Planning and Development Act 2000 (Amended) in relation to the deferral of making a new Local Area Plan

Date: 22nd August 2017



Comhairle Cathrach
& Contae **Luimnigh**

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Part 1 - Introduction

1.1 Background

The Rathkeale Local Area Plan (LAP) 2012 – 2018 is the main public statement of planning policies and objectives for the town of Rathkeale. The Plan was adopted by Limerick County Council on the 22nd October 2012 and is due to expire in October 2018.

Section 19 (1) (c) of the Planning and Development Act 2000 (Amended) requires that the process of reviewing an existing LAP should commence not later than 6 years after the adoption of the previous plan. However, the Planning and Development Amendment Act 2010 introduced a new provision whereby a Planning Authority may, as they consider appropriate, by resolution extend the life of an existing local area plan for a further period not exceeding 5 years.

1.2 Statutory Procedure

The Planning Authority may, as they consider appropriate, by resolution, defer the sending of notices to commence the review of a Local Area Plan. No resolution shall be passed until such time as the members of the Planning Authority notify the Chief Executive of the decision of the Authority to defer the sending or publishing of the notices, giving reasons, and having sought and obtained from the Chief Executive:

- An opinion that the LAP remains consistent with the objectives and the core strategy of the relevant Development Plan,
- An opinion that the objectives of the LAP have not been substantially secured, and confirmation that the sending and publishing of the notices be deferred and the period for which they may be deferred.

If the Elected Members accept the Chief Executive's recommendation that the current Rathkeale LAP is consistent with the objectives of the Limerick County Development Plan 2010 – 2016 (As Extended) and its core strategy, and are in agreement that during the lifetime of the LAP that the objectives of the plan have not been substantially secured, they may determine by resolution that it would be appropriate to defer the process for making a new plan, for an agreed time period.

Following the making of any such decision, a public notice to this effect is required to be published in a newspaper circulating in the area of the local area plan not later than 2 weeks after the resolution is passed by members.

1.3 Purpose of this report

The purpose of this report is to set out the opinion of the Chief Executive that:

- a) The Rathkeale Local Area Plan 2012 – 2018 remains consistent with the objectives and the core strategy of the Limerick County Development Plan 2010 – 2016 (As Extended);
- b) The objectives of the LAP have not been substantially secured to date;
- c) The sending and publishing of notices to make or review the plan may be deferred and the period for which they may be deferred.

Part 2 - Compliance with the Core Strategy of Limerick County Development Plan 2010 – 2016 (As Extended)

2.1 Introduction

In accordance with the Planning and Development Act (Amended), a Core Strategy is required to demonstrate how the Development Plan is consistent with the National Spatial Strategy, Regional Planning Guidelines, Government Policies and Ministerial Guidelines/Directives. Local Area Plans, in turn, must be consistent with the Development Plan.

The Core Strategy of the Limerick County Development Plan 2010-2016 (As Extended) outlines population targets and housing land requirements for County Limerick, which were allocated by the DoECLG at national level and distributed at regional level by the Mid West Regional Authority. The Mid West Regional Planning Guidelines (RPGs) 2010-2022 have allocated a population target of an additional 32,800 people for County Limerick up to the year 2022. Based on this population target the core strategy has allocated a specific population target for each settlement.

The population target for Rathkeale in the Core Strategy was for an additional 394 people by 2022. This equates to a requirement for 211 additional housing units by 2022, which with the densities proposed, including medium low densities and very low densities for serviced sites, would require at least 17.84 hectares in total by 2022. On a pro-rata basis, 158 houses are required by 2018 the end year of the Local Area Plan, requiring 13.38 hectares of land.

2.2 Settlement Strategy

Rathkeale is designated to Tier 3 in the Settlement Strategy in the County Development Plan 2010-2016 (As Extended). It is the policy of the Council to support the sustainable development of settlements in Tier 2-6, and Objectives SS 01 – 08 apply; including Objective SS07 Monitoring growth which requires the Council to monitor growth patterns and pace of growth in settlements and apply appropriate management measures.

The detailed population figures from the most recent census in April 2016 are available for Rathkeale town at this time. The 2016 total population census figure for the town was 1,441, representing a decline in the population of 109 people during 2011 – 2016 or 7%. Refer to Table 1 below.

Table 1: Population change in Rathkeale Town

Census Year	Population	Decline/Increase	
		Number	%
2002	1,362		
2006	1,494	+132	+9.69%
2011	1,550	+56	+3.75%
2016	1,441	-109	-7.0%

Source: CSO Census 2002 – 2016

The Tables below are from the Rathkeale Local Area Plan 2012, indicating the additional population, number of units, and zoned land required up to 2022, and pro-rata within the Plan period, to comply with the Core Strategy. Table 2 indicates the total land requirements

based on population targets and housing requirements. Table 3 indicates the breakdown of zoned land required between residential development areas and serviced sites.

Table 2 – Population targets and Housing requirements as per the Rathkeale Local Area Plan 2012 - 2018

Year	2006	2018	2022
Total population	1,494	1,789	1,888
Additional Population	-	295	394
Additional housing units required	-	158	211
Total land required in hectares to accommodate additional housing units	-	13.38	17.84

Table 3 - Residential Unit and Land Use Requirement by 2018

	A Residential Development areas	B Serviced sites	Total required by 2018 (A+B)
Additional Units required	126	32	158
Additional area Required including headroom (ha.)	8.58	4.8	13.38

2.3 Capacity of existing zoned land

There are currently 39.13 hectares of undeveloped land zoned for residential development, which is 66% in excess of the requirement of 13.38 hectares. The Mid-West Regional Planning Guidelines state that more land should be zoned for residential development than is required to meet the population targets (MWRPG page 74). In this regard the excess should normally lie between 50% and 150% of the land required though the excess in Phase 1 should not normally be greater than 50%. In Rathkeale, 9.82 residential zoned lands are in Phase 1, and an additional 5.52 are Phase 1 residential serviced sites, in totalling comprising of 15.32 hectares. A further 23.79 hectares of land is zoned residential in Phases 2 and 3. There has been negligible residential development since the adoption of the Plan in 2012, and no inroads have been made into the zoned lands. Therefore the objectives of providing housing in the area remains to be secured and there remains sufficient land available to accommodate the housing needs arising from population growth envisaged in the area.

Table 4 – Residential Land availability as per Rathkeale Local Area Plan 2012 – 2018

Zoned areas in hectares	2018 zoned land required (ha.)	Zoned Land (in Hectares)			Developed or committed since 2012 (in hectares)	Undeveloped Lands in Phase 1, Phase 2 and Phase 3
		Phase 1	Phase 2	Phase 3		
Res Dev area	8.58	9.82	9.39	12.81	0	11.52
Serviced sites	4.8	5.52	1.59	0	0	6.30
TOTAL	13.38	15.34	10.98	12.81	0	17.82

2.4 Economic Development

The total area zoned for Enterprise and Employment was 41 hectares, comprising of three blocks of land, this represented an increase of 18 hectares from the previous Plan in 2007, but only by rezoning an area around the existing meat plant north of the N21 from 'Mixed Use' to 'Enterprise and Employment' to reflect the established use in this location. There has been no development of the 29 hectares of undeveloped land as part of this Enterprise and Employment zoning since the adoption of the Plan, nor are there any outstanding planning permissions for development of same.

There was no extension over the 2007 Local Area Plan of lands zoned to accommodate retail in the Local Area Plan, which is the area of established business along the main street in the town centre from and including the town square eastwards, as far as the New Line road; and an extensive backland area dominated by the former livestock mart and defined largely by the New Line road and Well Lane. The governing objective for retail business in the Local Area Plan is to 'enhance the vitality and viability of Rathkeale as a retail service centre' (Objective ED3) and this is consistent with the key objective of the Retail Strategy for the Mid West Region 2010, incorporated into the County Development Plan 2010 -2016 (As Extended), to support the town centre first approach.

Mixed Use Zoning are used 'to facilitate renewal' of specific areas in the 2012 Local area Plan, the 'mixed use to reflect their existing uses'.

There are 11 'Opportunity Sites' in and around the town centre, most of these are brownfield sites. No progress has been made towards development of any of these sites.

A Tourism Objective was introduced in the 2012 Local Area Plan, to 'ensure the potential of tourism to contribute to Rathkeale's economy is harnessed' in the context of local heritage resources such as the Palatine Museum, and the development of the Great Southern Trail, which starts/finishes at the Palatine Museum.

There have been no significant developments since 2012 that would either have undermined the Retail, Mixed Use or Tourism objectives; or made any significant progress towards the realisation of objectives. The objectives are for the main part about consolidation and revival of the town centre, to be secured in the positive manner in which it was framed (see also Urban Design and renewal). The context since 2012 has either remained similar or has slightly deteriorated. However the causes of deterioration are not such as would justify a revisit of the Local Area Plan, which provides a broad and comprehensive framework for revitalisation of the town centre. This issue is addressed in more detail in Section 2.9 of this Report.

2.5 Infrastructure and Transport

Waste Water Treatment

Rathkeale Wastewater Treatment Plant has sufficient capacity to meet the towns existing and foreseeable needs and is not on Irish Water's Investment Programme.

Water Supply

With regard to water supply, yield and treatment, the town relies on groundwater sources to the south of the town. There is a sufficient resource available and water supply has sufficient standard of treatment to meet the town's existing and foreseeable needs.

Transport

The following objectives remain to be secured from the Local Area Plan:

- Development of lands at Enniscouch (Objective T1)
- Access to backlands (Objective T2)
- Provision of junction improvement (Objective T2)
- New through road linking the Ballygarry Regional Road (R518) with the Main Street through the Golden Vale site (Urban Design Chapter)
- Off road combined cycle ways and footpaths (Objective T3)
- Development of enterprise zoned lands off the National Road (N21) (Objective T7)

Three of the seven objectives relate to the development of backlands or sites, but there have been no indicators of demand relating to these sites in the plan period to date. There are also other proposed measures such as the new through road linking the Regional Road (R518) with the main street and the provision of new cycle-ways which were predicated on development and as there are no commitments for development of these sites there has been no progress made on these elements of access infrastructure to date.

The following works have however been executed, much to the improvement of the town:

- A signalised pedestrian crossing opposite St. Anne's National School
- Improvements to footpaths in the town centre, 85% of the cost of which is covered under the Department of Arts, Heritage and Gaeltacht's Town and Village Renewal Scheme 2016
- Traffic calming measures (ramps) on Thomas Street

Flood Risk management

The Local Authority is committed to managing flood risk in accordance with the principles set out in ministerial guidelines "The Planning system and Flood Risk Management, Nov 2009", and OPW data and advice as stated in the County Development Plan 2010-2016 (Extended). The only areas that have an identified flood risk are around the Deel River that flows through to the town to the west of the town centre, these are identified through the JBA preliminary flood risk assessment undertaken for the County in 2009 and the more recent OPW CFRAM study. The areas of risk are zoned 'Open Space and Recreational' and no development has occurred since the adoption of the Local Area Plan, which would impair this objective.

2.6 Community and amenity

The objectives in respect of community and amenity are grouped as follows:

- Protect existing community facilities by appropriate zoning
- Provide for a community playground
- Encourage the development of amenity cycleways and pathways, indicative routes for which were identified

There has been no development of any of the amenity cycle-ways and pathways, the execution of which were in any case largely reliant on development. The Great Southern Trail a recreational cycleway/walkway that follows a former rail line, extends from Rathkeale at the Palatine museum to Abbeyfeale, the possibility of extending this to the junction with the Limerick to Foynes railway at Ballingrane 2km to the north of Rathkeale was mentioned in the Plan, an application has been made pursuant to Section 179 of the Planning and Development Act 2000 (Amended), for the proposed extension and will be considered by the Municipal Members, in the coming months.

2.7 Environment and Heritage

The town's environmental objectives address the following:

- Protection of its architectural heritage: Objectives EH1 (list of protected structures) and Objective EH2 (designation of the town centre as an Architectural Conservation Area)
- Protection of its Archaeological heritage: Objective EH3
- Tree Protection and protection of designated habitats: Objectives EH4 and EH5

Since the adoption of the Rathkeale LAP, the National Inventory of Architectural Heritage (NIAH) has been established on a statutory basis under the provision of the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999, and is administered by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. Its purpose is to identify, record, and evaluate the post-1700 architectural heritage of Ireland, uniformly and consistently as an aid in the protection and conservation of the built heritage. The NIAH provides the basis for the recommendations of the Minister to the planning authorities for the inclusion of particular structures in their Record of Protected Structures (RPS). There are 41 structures listed in the National Inventory of Architectural Heritage in Rathkeale. 11 of these are not listed as Protected Structures.

2.8 Urban Design and Town Renewal

The Rathkeale LAP provides guidance to assist prospective applicants to address aspects of planning and design that the planning authority will be taking into account when assessing applications for future development.

The town has a high proportion of vacancy. 24 sites in number are the subject of current Derelict Site Notices. The residential vacancy rate for the ED of Rathkeale Urban Area is 30.8%, or 248 out of 805 housing units.

A 'Health Check' of Rathkeale town centre was conducted by Limerick City and County Council in 2013 for the Town and Village Renewal Scheme in 2016 and the results recorded in map form. The *'preliminary assessment found that from the square at the eastern end of the town to the bridge over the River Deel at the western end of the town, there are approximately 35 vacant commercial buildings (ground floor) and 15 vacant residential buildings. This high level of vacant and derelict buildings impact on the physical appearance of the town and contribute to an impression of neglect'*.

A successful application was made for €47,700 funding to improve footpaths in the town centre, under the Town and Village Renewal Scheme.

2.9 Environmental considerations

The Rathkeale 2012 LAP was subject to Strategic Environmental Assessment (SEA). The LAP incorporated appropriate land use zoning, policies and objectives to ensure the implementation of the LAP will not result in significant effects on the environment in accordance with the SEA Directive and Regulations and in compliance with the associated objectives of the Limerick County Development Plan 2010-2016 (As Extended).

Part 3 - General overview of planning applications and Part 8s for development in the area since the adoption of the LAP

Due to the economic downturn there has been very little development in the area since the adoption of the LAP. The following is a brief summary of significant permissions granted in the area under the various land uses of the LAP since 2012.

Residential

There have been no significant permissions granted for residential development since the adoption of the Local Area Plan in November 2012.

Retail and Tourism

There have been no significant permissions granted for retail development since the adoption of the Local Area Plan in November 2012.

Education and community

There are two proposed developments for education and community facilities granted planning permission since the adoption of the plan. Permission has been granted (11/858) for a stadia complex with capacity for 2,000 people, for the Mick Neville GAA grounds in 2012; funding has been approved for this in 2015. Permission has very recently been granted for a stand alone gym/PE hall in the Colaiste na Trocaire Post primary school (17/148).

Industrial

In 2015, a new enterprise centre in the former Andersons Jewellery Factory (which closed in 2013) was opened. This comprises of 15 units, with one of these units being a business centre and another being a veterinary clinic and the remainder being for enterprises.

Part 4 - Conclusion and recommendation

Having regard to the lack of development in the area since 2012 there are a considerable number of policies and objectives that have not been secured.

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

- The Rathkeale Local Area Plan 2012-2018 is consistent with the objectives and core strategy of the Limerick County Development Plan 2010 - 2016 (As Extended).
- The objectives of the Rathkeale Local Area Plan have not been substantially secured.
- The sending and publishing of notices to review the existing LAP may be deferred for a period of 5 years. Therefore the lifespan of the Rathkeale LAP 2012-2018 should be extended for a further five years.

Accordingly, it is recommended that the following resolution be approved by the Council:

‘Having considered the Chief Executive’s report, the Council resolves to extend the life of the Rathkeale Local Area Plan 2012, by a further 5 years, from today’s date, in accordance with the provisions of Section 12 of the Planning and Development Act 2010 (Amended), (which amends section 19 of the Principal Act) and provides for the extension of the valid life of a Local Area Plan.’



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