

COMHAIRLE CHONTAE UÍBH FHAILÍ
MINUTES OF SPECIAL MEETING
OF OFFALY COUNTY COUNCIL
HELD IN ARAS AN CHONTAE, TULLAMORE
ON FRIDAY, 18TH JANUARY 2008 AT 10.00 A.M.

PRESENT: Cllr. E. Dooley (Presiding), Cllrs. N. Bourke, M. Buckley, J. Butterfield, J. Carroll, P. Clendennen, M. Corcoran-Kennedy, B. Cowen, D. Dolan, T. Feighery, E. Fitzpatrick, J. Foran, M. Fox., C. Hanniffy, F. McDonnell, T. McKeigue, T. McLoughlin S. Moylan Ryan, P. Ormond, D. Owens

IN ATTENDANCE: Mr. Pat Gallagher, County Manager, Mr. Michael Roche, D.O.S., Mr. Declan Kirrane, D.O.S., Mr. Sean Murray D.O.S., Mr. Frank Heslin D.O.S., Ms. Ann Dillon (Meetings Administrator), Mr. A. Murray, Senior Planner, Ms. P. Hughes, A/S.E.O., Ms. Alma Walsh, Executive Planner, Mr. S. Burt, Executive Planner, Ms. P. Hanlon, Assistant Planner & Ms. V. Francis, ASO.

APOLOGIES: Cllr. G. Killally,

The meeting, adjourned on Monday 14th January 2008, resumed to discuss / consider submissions in relation to the Review of the County Development Plan.

One late submission from Cllr. Molly Buckley was circulated and considered. The submission primarily referred to public right of way and sought:

- a) To protect, preserve and maintain existing public rights of way from development and to enforce, by legal action, if necessary, any attempts to close them off.
- b) To create new public rights of way, as required, by agreement, or by way of compulsory powers.
- c) To require land adjacent to river and canal banks and lakeshores be reserved for public access.
- d) To list public rights of way within one year of the adoption of the Plan, but if examination of traditional walking routes for possible designation is not completed within that time then an interim list will be prepared. The list will be accompanied by detailed maps showing the actual routes and the appropriate signage will be put in place. The list(s) will be incorporated into the Plan by way of a Variation Order."

The submission sought to have amendments made to various Chapters

Mr. A. Murray, Senior Planner responded that this submission requests the addition and amendment of policies pertaining to public rights of way throughout the County. He advised that the content of this submission had already been considered as part of the Managers Report which addressed all issues raised during the initial public consultation period which commenced on April 4th 2007 (this report was circulated to Members in July 2007). The agreed position as presented to members in this report in relation to public rights of way reads as follows:

'The issue of "access to all lands" lies outside the remit of any County Development Plan, as there is currently no legislation which provides for 'general access to all lands'.

Mr. Murray stated that further to this, the Council has extensive experience in dealing with public rights of way and traditional walking routes through the Slieve Bloom Walkways/the Offaly Way/Pilgrims Way. He stated that the Council's experience has been that voluntary involvement, negotiation and agreement between landowners, the Council and the public is the most effective method of dealing with public rights of way.

Finally, he stated, that having regard to the experiences of other local authorities, and in particular, Wicklow Co. Co, it has been proven that the making of public rights of way through the Development Plan process is the least effective method of achieving such aims. “

Councillor Buckley stated that Offaly County Council should be encouraging people to walk along the canal and in the countryside and felt it would be very much in the interests of the landowners if there was a network of clearly marked rights of way. There should be reasonable access to the countryside and asked that it be looked at again. Mr. Murray stated that the Development Plan is the least effective way of dealing with rights of way and recommended that a voluntary approach be taken, and felt that dialogue with landowners rather than directing them through the County Development Plan would be more effective.

It was agreed that a written response would be issued to Councillor Buckley.

Ferbane Area:

It was proposed by Councillor Marcella Corcoran Kennedy, seconded by Councillor C. Hanniffy and agreed that the Kilcormac Map submitted be withdrawn and a map be resubmitted for the town. Mr. Murray to respond later.

Submission No. 11 – Tullamore Area Councillors:

Submissions were considered in relation to Settlement Plans:

Villages: Ballinagar, Geashill and Mucklagh:

Ballinagar: The reason put forward for this amendment is to link the substantial Curragh Hill housing development to the existing village core:

Mr. Murray, Senior Executive Planner, responded that the village plan for Ballinagar is one which the draft Housing Strategy identified as having excessive levels of residential zoning (approx. 80 acres).

- The plan as proposed (November draft) has approx. 30 acres of undeveloped residential zoning, which could accommodate a population increase of approx. 400 persons. This excludes infill possibilities and other settlement lands which could accommodate approx. an additional c. 150 persons.
- The population at census 2006 was 381.
- There is residential land proposed for zoning which could accommodate 100% population growth, if it all were developed.

He stated that the submission proposes an additional 19 acres of residential zoning in order to link Curragh Hill housing development to the village core. This would amount to an approximate doubling of the residential zoning and the population growth potential. This would be contrary to the County settlement strategy and the Midlands Regional Planning Guidelines which promote small or moderate scale population growth in villages.

The aspiration to ‘link’ this outlying element of the village to its core is noted, however in this case it is considered that the additional level of zoning it would necessitate is inappropriate.

The sewerage treatment plant does not have capacity for this additional growth. The new plant will have a capacity of 1000PE.”

The recommendation of the SEP was to “Leave zoning as proposed in November 2007 draft, and extend the plan boundary to include a joined link along the road between the two elements of the village (from village centre to Curragh Hill). Also to insert an objective into the Ballinagar Plan to work towards linkages between these two elements.”

After much discussion it was agreed to defer decision for further consideration. The Chairman pointed out that it was agreed at previous meeting that any submission not agreed by the full council, would be revisited when all submissions were gone through.

Geashill:

Mr. A. Murray, Senior Executive Planner, noted the request for an archaeological report. He informed the members that it is envisaged that the planning section will revert to them in Spring 2008, but this will not be limited to archaeology, rather to a wide range of heritage, historical, amenity and archaeology in around the esker / castle area of the village.

It was proposed by Councillor M. Buckley, seconded by Councillor T. McKeigue and agreed that the recommendation of the Senior Planner be accepted. The decision to have a heritage report done was welcomed.

Mucklagh:

The members proposed that the indicative boundary on the current draft of Mucklagh Village Plan Zoning / objectives map be extended as shown in Fig. 1 on accompanying map.

The reason put forward for the amendment to draft Mucklagh Village Plan is to link existing zoned areas at either end of the new indicative boundary line. It was also proposed that the new access shown exiting Lynally Grove be pedestrian only.

Mr. Murray, Senior Executive Planner, stated that when this plan was adopted in late 2007, the planning section recommended that this land not be zoned, not because of lack of suitability *per se*, but because:

- it was considered that there was more than adequate land zoned in the village for moderate growth **and**
- in order to ensure that when development can be accommodated (i.e. when sewage treatment capacity is available) that the areas in the 'centre' of the village be developed first. His recommendation was to leave as proposed in November 2007 draft.

The members were not happy with the recommendation and decided to defer decision until all submissions were gone through.

Sraids: *Ballinamere, Blueball, Durrow and Killurin*

Ballinamere:

The members proposed that the indicative boundary on the current draft of Ballinamere Sráid Plan be extended. The reason for this amendment is to link the two main centres of activity in the area, namely the GAA Centre area and the area around the national school.

Mr. A. Murray, Senior Executive Planner, stated the following:

- The November draft plan could accommodate approx. an additional 35-45 dwellings.
- The proposed addition (excluding the GAA which is outlined) comprises 34 acres, potentially 102 dwellings at 3 per acre, or 68 dwellings at 2 per acre **in addition to the 35-45 to be accommodated under the November draft.**
- This is considered to be totally excessive and contrary to the Councils stated policy regarding sraids, and also to the proper planning and sustainable development of the area.
- The area does not have sewerage facilities, and development permitted as per the proposal would be likely to pose a serious threat to groundwater.

The recommendation of Mr. A. Murray, SEP, was to leave Plan as proposed in November 2007 draft.

The members decided to defer the decision until all submissions have been considered.

Blueball:

It was proposed by members that the indicative boundary on the current draft of Blueball Sráid map be extended as in order to balance the potential for development on both sides of the approach road to Blueball.

Mr. A. Murray, SEP, stated that:

- The November draft plan could accommodate approx. an additional 25 dwellings.
- The proposal is for the addition of approx 4 acres.

- In this instance the proposed inclusion would be likely to generate a line of 'backland' houses. This could potentially however be mitigated by the provision of a private access road along the western boundary.
- The area does not have sewerage facilities, and development permitted as per the proposal would be likely to pose a serious threat to groundwater.

The recommendation of the Senior Executive Planner was to Leave as proposed in November 2007 draft.

Cllr. Butterfield stated that Figure 1 should be included as it is in a very scenic area, which he feels should and needs to be developed.

The Chairman confirmed, in response to a query, that it was necessary to have a vote from the full Council and not just the Area Council.

The Manager stated that the Act provides for the decision to be made by the full Council. The Area Council makes the recommendation and the full Council makes the statutory decision.

Mr. Murray stated that when the planners look at a proposal, the amount of development it is likely to generate is considered and a decision has to be made on what is best for the area.

The members decided to defer the decision until all submissions have been considered.

Durrow 1:

The proposal by the Tullamore Area Councillors is to extend the indicative boundary on the current draft of Durrow Sráid Plan as shown in Fig. 1 on accompanying map. The proposal to include this area was made as all of the area already incorporated in the map adjacent to the N52 constitutes the local cemetery. This small extension to the boundary would allow for some development adjacent to the main road.

Mr. A. Murray, SEP, stated that this proposal is for an additional 4.5 acres. The sraid is located in an Aquifer Protection Zone of particular sensitivity and this is the reason why the proposed boundary allows for very limited development. Increasing the boundary size is not recommended to safeguard the APZ.

The recommendation of the Senior Executive Planner was to leave as proposed in November 2007 draft.

The members decided to defer the decision until all submissions have been considered.

Durrow 2:

The members proposed to draft a new map for Durrow around the site of the GAA pitch be included in the Durrow Sraid proposals and be brought forward in tandem with the existing proposal for Durrow.

Mr. A. Murray SEP, stated that he proposed to include the N52 road reservation corridor⁴ on the map for public display to aid the protection of the route and to inform the public of this constraint.

The members asked that a map be provided for meeting on Monday morning, 21st January.

Killurine 1, 2 and 3:

The members proposed that the indicative boundary on the current draft of Killurine Sráid Plan be extended to include Figs. 1,2 and 3 as shown on accompanying map in order to balance the potential for development on both sides of the approach road to Tullamore and allow more scope for development.

Mr. A. Murray, SEP, stated that:

- The November draft plan could accommodate approx. an additional 20 dwellings
- Killurine is already at the upper end of a Sráid in terms of number of houses, but with a lack of services
- The proposal is for the addition of approx. 15 acres in three blocks

- It is considered that the proposed scale of the Sráid if added to as proposed is excessive and contrary to the Council's stated policy regarding Sráids, and also to the proper planning and sustainable development of the area
- The area does not have sewerage facilities.

The recommendation of the Senior Executive Planner was to leave as proposed in November 2007 draft.

The members decided to defer the decision until all submissions have been considered.

Submission No. 12 - Birr Area Councillors

Banagher:

The Chairman agreed to defer Banagher as requested by Councillor T. McLoughlin.

Coolderry 1:

The members proposed to change the zoning behind Noel Teehan's house from public/community/educational to residential.

The Senior Executive Planner recommended the proposal as this is considered a moderate amendment.

The amendment was proposed by Councillor P. Ormond, seconded by Councillor J. Carroll and agreed as recommended by the Birr Area Councillors.

Coolderry 2:

The members proposed to change zoning of 6 acres to residential lands.

Mr. A. Murray, Senior Executive Planner, stated that if this proposal (6 acres) of additional Other Settlement Lands is to be included he would recommend that a map annotation be inserted that it should be used for uses other than residential development, i.e. employment generation development as he considered the November draft has adequate lands available for housing having regard to the village's existing size, recent development and limited availability of services.

It was proposed by Councillor J. Carroll, seconded by Councillor T. McLoughlin and agreed that land would be zoned other settlement lands and a map annotation no. 3 (insert before red arrows) be inserted.

Coolderry 3:

The members proposed to increase the boundary beside the hurling field and zone it other settlement lands.

Mr. A. Murray, Senior Executive Planner, stated that the note on the submission to the effect that planning permission exists on the site to the west of the GAA grounds is noted and the map will be amended to 'residential'.

It was proposed by Councillor J. Carroll, seconded by Councillor P. Ormond and agreed to rezone from public / community / educational to residential as per submission.

Kinnitty:

Councillor P. Clendennen declared an interest and left the meeting while the proposal was being discussed.

The members proposed that provision be allowed to allow one-off houses on the Birr Road on White land within the curtilage of the zoned land.

Mr. A. Murray, Senior Executive Planner, stated that this is effectively 'zoning land for ribbon development' and is not recommended. He stated that as the land is unzoned 'white lands' one off application can be considered on a case-by-case basis.

The recommendation of the Senior Executive Planner was to leave as proposed in November 2007 draft.

Some discussion ensued in which it was stated that the provision of land for one-off houses would improve the village, Mr. A. Murray, SEP, stated that the Plan as proposed would allow for a very significant increase in population and that there is a considerable amount of land zoned in Kinnitty – the village is provided for in the village Plan.

The members decided to defer decision until all submissions have been considered.

Councillor P. Clendennen returned to the meeting.

Moneygall:

The members proposed to increase the village boundary on the Cloughjordan road to allow industrial zoning. It is proposed that this zoning take place behind the existing residence and the area to the front be kept open space.

Mr. A. Murray, Senior Executive Planner, stated that the northern of the two fields proposed for industrial zoning includes part of the M7 road reservation, and this is not recommended. He stated that the southern field could be considered as a moderate addition to the plan in his opinion. However he would caution against ‘industrial’ zoning in a village context and particularly as this will be a visible face to Moneygall from the new road. Perhaps Other Settlement Lands with a map annotation similarly to no. 2 in the November draft (which states that the Council consider the lands suitable for employment-generation use) may be more appropriate.

After some discussion the members decided to defer decision until all submissions have been considered.

Shinrone:

Councillor Peter Ormond declared an interest and left the meeting while the proposal was being discussed.

The Members proposed:

- to include what land was zoned under the previous plan be included again provided they are developed with link roads
- the land beside the hurling field be zoned public / educational / community.
- the land behind the school that is zoned recreation / educational be slightly extended and squared up.
- to extend the area of recreational / educational beside the Catholic Church and also behind the library
- that on the Roscrea Road the extension of the village should be increased to incorporate extra land.

Mr. A. Murray, Senior Executive Planner, stated that these parts of the submission proposed to revert Shinrone to the levels of residential zoning in the current plan.

He stated that the village plan for Shinrone is one which the draft Housing Strategy identified as having excessive levels of residential zoning (approx. 80 acres).

- The plan as proposed (November draft) has approx 40 acres of undeveloped residential zoning, which could accommodate a population increase of approx. 600 persons or approx. 60 %. This **excludes** infill possibilities and other settlement lands.
- The population at census 2006 was 591.

The submission proposes an additional 35 acres of residential zoning This proposal would amount to an approximate doubling of the proposed levels of residential zoning and consequently the the population growth potential. This would be contrary to the County settlement strategy and the Midlands Regional Planning Guidelines which promote small or moderate scale population growth in villages.

The sewerage treatment plant does not have capacity for this additional growth. Short-term capacity is for only approx 80 additional houses. Please note that there are lands zoned for industry and business / employment and consideration should be given for reserving capacity in the sewage treatment plant for such development

The recommendation of the Senior Executive Planner was to leave as proposed in November 2007 draft.

Councillor J. Carroll felt there was a need to discuss further and at the most to leave the Plan the way it was , pre-draft.

The members decided to defer decision on that part of the submission which proposed to “include what land was zoned under the previous plan be included again provided they are developed with link roads” .

Shinrone 1

It was proposed by Cllr. J. Carroll, seconded by Cllr. T. McLoughlin and agreed that the single field to west of hurling field be changed from Open Space to Public / Community / Educational.

Shinrone 5

It was proposed by Cllr. J. Carroll, seconded by Cllr. T. McLoughlin and agreed that there be Public / Community / Educational zoning adjacent to school.

Shinrone 6

It was proposed by Cllr. J. Carroll, seconded by Cllr. T. McLoughlin and agreed that there be Public / Community / Educational zoning adjacent to the Church.

Shinrone 7

It was proposed by Cllr. J. Carroll, seconded by Cllr. P. Clendennen and agreed that there be Public / Community / Educational zoning behind the library.

It was proposed by Cllr. T. McLoughlin, seconded by Cllr. P. Clendennen and agreed that the recommendation of the Senior Executive Planner to change the ‘industrial’ zoning at the east of the village to ‘Business / Employment’ be adopted.

Riverstown:

The members proposed to change the plan from a sráid to a village plan to complement the Tipperary side. It is proposed to make minimal changes to the plan.

Mr. A. Murray, Senior Executive Planner, stated that as regards changing from a ‘sraid’ to a ‘village’, it is considered that this would conflict with the proposal inherent in the November draft, that is to maintain a clearly defined and substantial countryside break between Riverstown and Birr.

The members decided to defer decision on this submission.

‘Riverstown 1’

The SEP did not recommend – these lands are extremely locally elevated and their development would provide a view representative of poor planning from the west.

The members decided to defer decision on this submission.

‘Riverstown 2’

The SEP did not recommended at this time due to access / road safety difficulties.

The members decided to defer decision on this submission.

Dunkerrin:

The members proposed to change the boundary of this sráid to include the area opposite the car park of the Dunkerrin Arms.

Mr. A. Murray, SEP, recommended this proposal subject to the insertion of a map annotation to the effect that the development of these lands must have positive benefits on the manner in which Dunkerrin addresses the N7.

It was proposed by Cllr. P. Ormond, seconded by Cllr. J. Carroll and agreed that the proposal be included.

Barna & Sharavogue:

The members proposed to omit Barna and Sharavogue from the Plan as Sráids. Mr. A. Murray, SEP, did not recommend this proposal.

It was proposed to deal with this matter at a later stage.

BANAGHER:

Banagher 1:

The members proposed to zone land around the cemetery and secondary school as recreational / community, to zone more land for residential purposes.

Mr. A. Murray, Senior Executive Planner, stated that these lands are part of an emerging master plan being prepared for Council lands and the current zoning of this area for residential does not conflict with the emerging master plan uses.

The recommendation of the Senior Executive Planner was to leave as proposed in November 2007 draft.

‘Banagher 2’

Mr. A. Murray, SEP, stated that this proposal is considered to represent excessive residential zoning in this particular area **and** for the town as a whole. There is a very large quantity of land already zoned for residential use between here and the GAA, potentially enough for upwards of 300 dwellings.

He stated that the November draft allows for a potential population increase within the town on residential lands only (undeveloped land) of approx. 3,000, which is considered more than adequate for the towns needs over the plan period.

These lands are elevated and exposed. Their development at this stage of the town’s evolution is considered completely inappropriate by the planning section.

The recommendation of the SEP was to leave as proposed in November 2007 draft.

Banagher 3’

This proposed zoning of lands for Public / Community / Educational would facilitate the expansion of the cemetery and is recommended.

‘Banagher 4’

The November draft, as discussed between the Area Councillors and the planning officials at Area meeting on 6th Nov 2007, proposed to change zoning of two blocks of residentially lands between the GAA and the eastern zoning boundary to ensure that useable and sizeable ‘park’ areas, over and above the ‘standard’ 10% open space requirement be provided to serve the future inhabitants of this large area of residentially zoned land. This submission recommends zoning the western ‘block’ back as residential and is not recommended.

The recommendation of the SEP was to leave as proposed in November 2007 draft.

‘Banagher 5’

This is effectively ‘zoning land for ribbon development’ and is not recommended.

The recommendation of the SEP was to leave as proposed in November 2007 draft.

‘Banagher 6’

This part of the submission is for a further 37 acres of residential lands on the Cloghan Road. As stated above, it is considered that the November draft zones more than adequate lands for residential development for the plan period. These lands are indicated as at risk of flooding (1999/2000 winter event) by floodmaps.ie, the OPW’s National Flood Hazard Mapping Website.

The recommendation of the Senior Executive Planner was to leave as proposed in November 2007 draft.

‘Banagher 7’

It is noted that these lands are zoned in the current CDP. The logic for their removal was due to the scale of available zoning elsewhere in the town and as a ‘precautionary’ approach due to their inclusion in (part) an Aquifer Protection Zone.

The recommendation of the Senior Executive Planner was to leave as proposed in November 2007 draft.

Banagher 8:

See recommendation under submission 6 above.

After much discussion in relation to changes to the recommendation made, the Chairman said that he would prefer if the members withdrew the submission and came back after lunch.

It was proposed by Cllr. P. Clendennen, seconded by Cllr. Sinead Moylan Ryan and agreed to withdraw the full Banagher Submission and re-submit after lunch.

Submission No. 13 – Councillor J. Butterfield

Councillor Butterfield made a submission in relation to Ballinamere / Durrow / Killeigh / Killurine / Geashil / Mountbolus which was similar to previous submission by the Tallamore Area Councillors. It was proposed by Councillor Butterfield, seconded by Councillor Tom Feighery, and agreed to withdraw Councillor Butterfield’s submission in relation to Ballinamere / Durrow / Killeigh / Killurine / Geashill – all except Mountbolus. It was stated by Councillor Butterfield that he agreed with the Area Committee to await an Archaeology Report in relation to Geashill and he noted that no decision had been made on any of the other submissions yet and he sought opportunity to discuss when making decisions later.

Mr. A. Murray, Senior Executive Planner, reported as follows in relation to Mountbolus:

- The plan as proposed (November draft) has approx. 6 acres of undeveloped residential zoning and approx. 3.5 acres of Other Settlement Land zoning.
- If all the residential land and ½ of the OSL lands were developed this could accommodate a population increase of approx. 100% (c. 170 persons).

The submission proposes an additional 18 acres of residential zoning in two blocks.

The proposal would push the amount of population growth which the plan could accommodate to approx. 300%, or a total population of approx. 600 persons. This would be contrary to the County settlement strategy and the Midlands Regional Planning Guidelines which promote small or moderate scale population growth in villages.

There are serious constraints on the level of sewage effluent which can be discharged in Mountbolus due to the lack of receiving waters. The Council currently has consultants examining the issue. Currently there is not spare water supply capacity to serve significant new development either.

Any development over and above what is permitted is likely to be premature in the short term, notwithstanding the proposed zoning in the November draft.

Notwithstanding the constraints, however, Mr. Murray stated that it is considered prudent to have a very moderate zoning plan in place, so that the village is not left out of the settlement hierarchy and can accommodate development when and if the sewerage and water constraints are resolved.

The recommendation of the Senior Executive Planner is to leave as proposed in November 2007 draft.

Councillor Butterfield stated that the village had made much effort to sustain itself – the Post Office was closed and is now open again. The old indigenous population would be about 10.

Councilor Feighery supported Councillor Butterfield's proposal but did not agree with the scale. Development would obstruct views of the Slieve Blooms. Cllr. Feighery suggested that Cllr. Butterfield's proposal for the East – adjacent to Ard Aobhainn - should be reconsidered by the Area Committee and come back to full Council on Monday.

Cllr. Butterfield stated that the areas to the north are developed, the only areas available for development are ones that he had suggested. Cllr. Butterfield stated that he was prepared to compromise on North-East but not South West and expressed his disappointment with the consultation.

The Cathaoirleach recommended that the proposal should go back to the Tullamore Area Councillors and come back with a recommendation.

Cllr. T. McKeigue agreed to consult with Cllrs. Feighery and Butterfield

The Cathaoirleach pointed out that a lot of land was zoned in Clara and the Council did not want to revisit that situation, services have to be taken into consideration – planning refusals in Clara were based on sewerage constraints.

Submission 14 – Cllr. Eddie Fitzpatrick

Cllr. Fitzpatrick made a submission in relation to the Portarlinton Town Plan. He recommended: extra residential zoning; land to be provided in key locations for the provision of a relief route; equal balance of development in Portarlinton and also made the Members aware of land on the Mountmellick Road beside the Cemetery having been purchased and awaiting development.

Mr. A. Murray, SEP, stated that Cllr Fitzpatrick's submission echoed that of the Edenderry Area Committee and can be dealt with later and confirmed that planning permission has been granted to develop land on the Mountmellick side – the land marked yellow on the map was industrial zoned.

Submission 15 – Cllr. T. McKeigue

Cllr. McKeigue made a submission proposing that Alderborough House in Geashill which is owned by the Daly Family should be included in the List of Protected Structures.

Mr. A. Murray, SEP, stated that this house is included in the Minister's National Inventory of Architectural Heritage and that it is of reasonable importance.

Cllr. McKeigue proposed, Cllr. M. Fox seconded and it was agreed that Alderborough House be included in the List of Protected Structures.

It was agreed that the Members take a ten-minute break.

Submission No. 12: Banagher

On resumption of meeting, Submission No. 12 - Banagher was revisited. The Chairman informed the Members that a new map for the Birr Area Members was submitted and the members were asked to look at the colour map for Banagher.

Banagher 1 (marked on map):

Cllr. S. Moylan-Ryan stated that the school will be looking for more land and hoped that it would be looked at favourably.

After some discussion, it was proposed by Cllr. John Carroll, seconded by Cllr. S. Moylan-Ryan and agreed that there be no change.

Banagher 2 (marked on map)

After some discussion it was agreed to defer decision on this proposal.

Banagher 3 (marked on map)

After some discussion it was agreed to defer decision on this proposal.

Banagher 4 (marked on map)

It was agreed to defer decision on this proposal.

Banagher 5 (marked on map)

It was agreed to defer decision on this proposal.

Banagher 6 (marked on map)

It was proposed by Cllr. J. Carroll, seconded by Cllr. T. McLoughlin and agreed to withdraw this proposal.

Banagher 7 (marked on map)

It was agreed to defer decision on this proposal.

Banagher 8 (marked on map)

The Cathaoirleach referred the members back to Submission No. 6

It was proposed by Cllr. S. Moylan-Ryan, seconded by Cllr. J. Carroll and agreed with the Senior Executive Planner's recommendation to leave as proposed in November 2007 Draft.

Kilcormac 1 (marked on map)

The suggestion of the Ferbane Area Councillors to add residential zoning (c. 12 acres) to the west of the GAA is recommended by the Senior Executive Planner.

'Kilcormac 2' (marked on map)

The proposal to change from residential to open space (c. 1.5 acres) to rear of GAA is recommended by the Senior Executive Planner.

'Kilcormac 3' (marked on map)

The proposal to change c. 1.8 acres from white land to residential is recommended by the Senior Executive Planner.

'Kilcormac 4' (marked on map)

The original submission proposed to change c. 13.5 acres from Residential to White Land (unzoned) and was recommended by the Senior Executive Planner.

The proposal received from the Ferbane Area Councillors is to leave the c.13.5 acres as Residential – no change to November 2007 Draft.

'Kilcormac 5' (marked on map)

The proposal submitted to change c. 4 acres from Business / Employment to Residential is recommended by the Senior Executive Planner.

'Kilcormac 6' (marked on map)

The proposal to change c. 3 acres from Residential to White Land (unzoned) is recommended by the Senior Executive Planner.

'Kilcormac 7'

The submission proposes to change zoning on lands to the rear of the Bord na Mona scheme from Residential to Open space and is recommended by the Senior Executive Planner.

Mr. A. Murray, SEP, pointed out that the reason for the positive recommendation on adding 18 additional acres of residential zoning is that this is concurrent with the proposal to omit c.18 acres of residential zoning in other locations suggested by the Area Committee members in their submission.

It was proposed by Cllr. T. Feighery, seconded by Cllr. M. Corcoran-Kennedy and agreed that the above changes be made to the November 2007 Draft.

Decisions:

Submission 1: Cllr. Tommy McKeigue

P4-18 “Delete 1 km restriction on approach roads”

Mr. A. Murray, SEP, stated, in response to query from Cllr. McKeigue, that the reason for this 1 km restriction is to protect against ribbon development and to protect the approaches to towns / villages and also confirmed that the 1km mentioned was to be from the boundary of the town and not the centre. Cllr. T. Feighery agreed with the planner’s recommendation, but not to the extent of 1 km. and felt that there should be some constraint as ribbon development destroys the look of a village and noted that there was a 500 m restriction in the last Development Plan and had never heard it questioned. Cllr. Feighery suggested that further views be sought.

Cllr. Dolan suggested that Cllr. McKeigue’s proposal go out to public consultation.

It was proposed by Cllr. T. McKeigue, seconded by Cllr. M. Corcoran-Kennedy and agreed to remove policy in it’s entirety.

P.14-14-(a) (actually P4-16) “Delete 10 years born or living in or has lived in local rural area”

It was proposed by Cllr. T. McKeigue, seconded by Cllr. M. Buckley and agreed to change from 10 years to “5 years born or living in or has lived in local rural area”

P.14-15(b) (actually P4-16(b)) “That the 8 km only apply to first and second tier towns and that the villages and sraids be excluded”

It was proposed by Cllr. T. McKeigue, seconded by Cllr. C. Hanniffy and agreed that the 8 km only apply within tiers one and two – medium towns and local service towns to be deleted.

P.14-10

After much discussion on the definition of the word “family” it was agreed to defer the decision on this proposal until after lunch to give the members time to consider.

9.1 (P09.09) Retail Strategy *“It is Council policy to encourage retail development, including new forms of shopping which relates to the regeneration of existing Town Centres. Proposals, which would undermine the vitality and viability of retail core areas or Town Centres, as a whole will not normally be permitted.”*

Concern was raised by Cllr. T. McKeigue at the number of big stores being built on the outskirts of Tullamore and the impact which this had on the centre of town. The County Manager pointed out that the executive agreed with what the Councillors wanted to achieve and wished to protect town centres and rural areas, he stated that the policy in the draft is much stronger than before. Mr. A. Murray, SEP, stated, in reply to query from Cllr. B. Cowen, that the Town Centre is defined in the Retail Strategy and that there are strong policies in the Draft County Development Plan. After much discussion it was proposed by Cllr. T. McKeigue, seconded by Cllr. C. Hanniffy and agreed to delete the word “normally” from P09.09.

The Cathaoirleach adjourned the meeting for lunch.

P. 14.10

The meeting resumed after lunch and the members agreed to replace “landowners and their sons/daughters” with “Families”, families defined as “*husband, wife and their children, siblings of the husband and wife and their children*” for the purposes of this policy.

P14.17 [Should be P4-17] Single Rural House Policy within Acquifer Protection Zone

After much discussion it was proposed by Cllr. T. McKeigue, seconded by Cllr. C. Hanniffy and agreed that the wording “established farmers and their sons/daughters within these zones” be replaced with “*Established residents within these zones*”.

Submission No. 2 – Cllr. C. Hanniffy

P04-02 – Overall Settlement Strategy Policy

It was proposed by Cllr. C. Hanniffy, seconded by Cllr. T. Feighery and agreed that the number of houses allowed in housing developments in the Local Service Town be changed from 30 – 50 to 20 – 40 and in Villages from 20 – 30 to 10 – 20.

Sráids:

Cllr. Hanniffy stated that given that there will be a review process ongoing with Sráids she was prepared to formally withdraw the proposal.

P4.16

Cllr. Hanniffy stated that she had a problem with the interpretation of “exceptional” as people come and people go and have different opinions. It was proposed by Cllr. Hanniffy seconded by Cllr. M. Fox and agreed to omit the sentence “**In exceptional cases the Council may permit a relaxation of this**”.

P.17-11 Tourism

Cllr. Hanniffy stated that she would be happy to withdraw this proposal if Paragraphs 17.04 and 17.5 are adhered to by the executive re Tourism and planning and development. The proposal was formally withdrawn.

Submission No. 3 – Cllr. D. Dolan

Chapter 3 :

1.1 Area Based Strategy

1.1.1

It was proposed by Cllr. D. Dolan, seconded by Cllr. B. Cowen and agreed that the following amendments be made:

- (a) that the following sentence from S.1.1.1 “Clara will play a supporting role to the Gateway as an urban area close to Tullamore” should be amended to read: “*Clara as a town within the Gateway triangle and identified for population expansion, employment opportunities, business, industry, tourism and infrastructural development by the “Strategic Development Framework for the Midlands Gateway” will continue to develop as a supporting town to the ATM Gateway*” as recommended by the SEP.
- (b) that the following sentence from S.1.1.1 “In particular, employment-generating development and commercial development, services, etc. should be encouraged and promoted in Clara” should now read “*In particular, employment-generating development and commercial development, services, etc. will be encouraged and promoted in Clara*” (the word *should* changed to *will*).
- (c) **Chapter 4 – Central Area Paragraph Page 2**
Amend to read “This area which includes the Midlands Linked Gateway’, and in particular the linked Gateway town of Tullamore and the town of Clara, are identified as the focus for much of the anticipated population growth.” (omit the words “has been”)
- (d) **Tier 3 – Medium Towns – Chapter 4 Settlement Strategy**
Amend to read : “A Medium Town is similar in context to Large Towns as defined in the paragraph above, but to a smaller scale. Clara, identified as a Medium Town within the County’s settlement hierarchy, is considered as being a key settlement within the Gateway triangle and is also identified for population expansion, employment opportunities, business, industry, tourism and infrastructural development by the “Strategic Development Framework for the Midlands Gateway” and therefore continue to be a focus for development as a supporting town to the ATM Gateway.”

Fire Station, Clara.

Cllr. Dolan stated that Clara Fire Station is in the middle of a housing estate and feels that new plans and policy be adapted to include a new station for Clara. He stated that facilities are not commensurate with the number of staff. Mr. S. Murray, Director of Services, stated that the County Development Plan is consistent with the proposal adopted in October 2005. Clara is a sub-station, Ferbane as a main station is inadequate and has received priority and Banagher, Daingean and Kilcormac could make the same case. Mr. Murray stated that the appropriate forum to discuss this matter would be the SPC and then full Council.

It was agreed that there would be no amendment.

Submission No. 4 – Cllr. Fergus McDonnell

P.4.02

It was proposed by Cllr. F. McDonnell, seconded by Cllr. E. Fitzpatrick and agreed to insert the following wording in P.4.02 “*All new developments shall have such a mix of house types such as not to closely overlook the curtilage of existing dwellings*”.

Submission No. 5 – Cllr. Peter Ormond

It was decided to defer decision on this proposal as Cllr. Ormond was not in the Chamber.

Submission No. 7 – Cllr. Marcella Corcoran-Kennedy

Fig. 6.3 Alternative Scenario 3

Cllr. Corcoran-Kennedy stated that she felt very strongly that the map should be changed as Ferbane is the economic ATM hinterland.

It was proposed by Cllr. Corcoran-Kennedy, seconded by Cllr. C. Hanniffy and agreed that there be additional red-zoning around Ferbane, as hinterland of Athlone.

11.6 Community, Social and Cultural Development: Children Play Facilities

Cllr. Corcoran-Kennedy stated that she accepted the first part of the response but felt that the intention to implement be included.

It was proposed by Cllr. Corcoran-Kennedy, seconded by Cllr. S. Moylan-Ryan and agreed that the “intention to implement” be included.

P.04.02

Accepted

P.13.01 Transport and Accessibility : Strategy

Cllr. Corcoran Kennedy stated that the N62 should get priority because of the state it is in, Cllr. C. Hanniffy stated it should be noted that the reason for this is the bog foundation. The County Manager stated that wording needs care as the Council always put priorities forward on equally strong bases (N52, N62 and N80).

It was proposed by Cllr. M. Corcoran-Kennedy, seconded by Cllr. C. Hanniffy and agreed that the sentence “ In particular, the special needs of the N62 having regard to its foundations on peat is acknowledged” be inserted.

13.4 Table

Ref. map 13.2 referred to as a Regional Route - asked that road from Ferbane to Moystown be upgraded. Was informed that Planning does not single out any bad road – can be looked at later.

Chapter 15 Table 15.11 Tree Preservation Orders

The members accepted the proposal that the forward planning section will examine the Tree Preservation Orders and Trees and Groups of Trees that contribute to Amenity (Tables 15.11 and 15.12 respectively) in spring 2008 and will report to the members.

Ch. 17.12 – Arts and Culture

Recommendation of SEP was accepted, as this paragraph relates to the Arts Plan in general and is not specific in relation to any Arts facilities throughout the County.

Ch. 19 Design Notes A and B

A Timber Purchasing Policy was adopted by the Council in 2001. The County Manager stated that the Council does not have the legal means to implement this policy, it should be implemented through the Building Regulations. The Manager suggested that the Council could make a submission to the Minister to change the Building Regulations. This suggestion was accepted by the members.

Ch.4.4 Individual Housing in the Open Countryside

Cllr. M. Corcoran-Kennedy stated that there is a less restrictive policy in Ferbane. Mr. A. Murray, SEP, stated that no local need applies in Ferbane or Birr and map at end of Chapter 4 refers to these areas.

Submission 10 – Edenderry Area Councillors

Members submitted revised map.

Portarlinton 1: [Section 1 on Map – proposal that Section 1 on map should be included for residential zoning]

It was proposed by Cllr. J. Foran, seconded by Cllr. N. Bourke and agreed that recommendation of the SEP be adopted that Section 1 on Map be rezoned residential and that the indicative road line be moved to within the zoned area and an objective inserted that the road be constructed as part of the development on the lands.

Portarlinton 2: [Section 2 on Map – proposal that Section 2 on map be zoned “other settlement land”]

After much discussion, in which Mr. A. Murray, SEP, pointed out that Offaly County Council are constrained by the Regional Planning Guidelines and also that additional land is being zoned in Portarlinton 1 which is likely encouraging development in that area, it was proposed by Cllr. F. Foran, seconded by Cllr. N. Bourke and agreed to allow Councillors version go to public display.

Portarlinton 3: [Section 3 on Map – proposal that lands in this section be zoned “other settlement land”]

Mr. A. Murray, SEP, pointed out that this is an area that has flood risk. It was proposed by Cllr. N. Bourke, seconded by Cllr. E. Fitzpatrick and agreed that decision be deferred until Flood Study is completed.

Cllr. N. Bourke raised an issue in relation to Rhode – the Council are proposing to unzone Rhode lands. Cllr. Bourke understands that there is at least one application in system under the old plan. He pointed out that there is a sewerage capacity problem in Rhode. Mr. A. Murray, SEP, stated that any application is dealt with based on current plan, under the 2000 Planning Act. It should not be presumed that lands won't be unzoned.

Submission No. 11 – Tullamore Area Councillors

Ballinagar

The reason put forward for the amendment is to link the substantial Curragh Hill housing development to the existing core. Mr. A. Murray, SEP, stated that it must be respected that there is a development there and that footpath, lighting, etc. link the development with the existing core and there is more than adequate land zoned.

It was proposed by Cllr. D. Owens, seconded by Cllr. B. Cowen and agreed that proposal as submitted be included with no amendments.

Mucklagh 1:

It was proposed by Cllr. D. Owens, seconded by Cllr. M. Buckley and agreed that proposal as submitted be included - that the indicative boundary on the current draft of Mucklagh Village Plan Zoning / objectives map be extended as shown in Fig. 1 on map and that the new access shown exiting Lynally Grove be pedestrian only.

Ballinamere 1

It was proposed by Cllr. D. Owens, seconded by Cllr. B. Cowen and agreed that proposal as submitted be included - that the indicative boundary on the current draft of Ballinamere Sráid Plan be extended as shown in Fig. 1 on map.

Blueball 1:

It was proposed by Cllr D. Owens, seconded by Cllr. J. Butterfield and agreed that proposal as submitted be included - that the indicative boundary on the current draft of Blueball Sráid map be extended as in order to balance the potential for development on both sides of the approach road to Blueball.

Durrow 1

It was proposed by Cllr. D. Owens, seconded by Cllr. B. Cowen and agreed that proposal as submitted by Tullamore Area Councillors be included - to extend the indicative boundary on the current draft of Durrow Sráid Plan as shown in Fig. 1 on map

Durrow 2

The County Manager pointed out that there was no map outlining the area with this submission and also the importance of this aquifer zone. He stated that whatever about a decision in relation to extending the current Sráid boundary, there was no justification for a second Sráid in an Aquifer Protection Zone which is beside the sillogue well. An Aquifer Protection Zone map is required from the members for consideration. Cllr. B. Cowen requested that a map be prepared for Monday morning.

Killurin 1, 2 and 3

It was proposed by Cllr. D. Owens, seconded by Cllr. J. Butterfield and agreed that the proposal as submitted by the Tullamore Area Councillors be included.

Mountbolus: Submission by Cllr. J. Butterfield.

It was suggested that members would need to have a map showing proposed changes. It was decided to defer decision until the following Monday – map to be provided by Planning Section for Cllr. Butterfield.

Submission No. 12 – Birr Area Councillors

Banagher 1

Mr. A. Murray, SEP, stated that to add to the already large amount of residential zoning in this area is very inappropriate. The Plan as it is is very generous. The proposal would generate too big a population for this area and is not recommended.

The Chairman expressed concern re this proposal. The submission that the Birr Members made would allow for a total population of 7,000, a difference of 3,000 people. Cllr. S. Moylan-Ryan queried that if land is not suitable or too high, is it not up to the Planning Department to decide. The County Manager stated that a number of factors are taken into account and it is unfair to expect Planners to fix this. Zoning is a key factor of proper use, but zoning does not guarantee planning permission. The point has been made before that the Development Plan is a two-way contract, it sets out our intention and the public have an indication of what is possible.

It was pointed out by Cllr. D. Dolan that even the existing proposal bringing the population of Banagher from 1600 to 4000 is excessive. Banagher will be bigger than Birr, same size as Edenderry and twice the size of Clara.

It was also pointed out if the amount of land as proposed is developed there needs to be more green space provided. Mr. A. Murray, SEP, stated that we do not have any obligation to any developer. He stated that 10% is actually minimum space in the Development Plan.

It was agreed to take a 10-minute break.

The members resumed the meeting.

Banagher 2

The Chairman stated that the Councillors did not agree to zone as much land as proposed by the Birr Councillors in Banagher. Cllr. S. Moylan-Ryan stated that Banagher 5 is within the speed limits and Minister for the Environment has spoken in support. The Chairman pointed out that this is not currently in legislation and suggested that the map for Banagher be remarked and re-submitted on the following Monday morning. Cllr. J. Carroll agreed that map for Banagher would be re-submitted on Monday morning.

Kinnitty 1

Cllr. P. Clendennen declared an interest in this proposal and left the meeting.

Cllr. J. Carroll stated that there was some understanding that there would be an opening for substantial one-off housing on the approach to the town. Mr. A. Murray, SEP, stated that to zone as proposed would be unacceptable as the land rises sharply from the road - it would be difficult topography and would recommend to leave as white land. Cllr. J. Carroll suggested that the proposal would be deferred to Monday – to come back with positive terminology. Mr. A. Murray, SEP, stated that he would look at the proposal before Monday and come back with some suggestions.

Moneygall:

It was proposed by Cllr. J. Carroll, seconded by Cllr. S. Moylan-Ryan and agreed to include proposal as submitted by the Birr Area Councillors up to the fenced off area.

Shinrone:

It was agreed to defer decision on this proposal to the following Monday.

Riverstown:

The Members proposal to change Riverstown from a Sráid to a Village Plan was discussed. Mr. A. Murray, SEP, stated that the part of Riverstown within Offaly is only a Sráid – a cluster of houses. He stated that if it is changed to a village it will have to be zoned. A Village Plan would require that all that land be zoned for housing, developments of more than 5 houses would require Part V. No density is specified – density is only specified in a Sráid.

It was proposed by Cllr. J. Carroll, seconded by Cllr. S. Moylan-Ryan and agreed to include proposal as submitted and let it go to public display.

Riverstown 1

It was proposed by Cllr. J. Carroll, seconded by Cllr. T. McLoughlin and agreed that the proposal as submitted be included.

Riverstown 2

It was proposed by Cllr. T. McLoughlin, seconded by Cllr. J. Carroll and agreed that the proposal as submitted be included.

Barna and Sharavogue:

It was proposed by Cllr. T. McLoughlin, seconded by Cllr. J. Carroll to omit Barna and Sharavogue as Sráids. Mr. A. Murray, SEP, recommended that it would be better to have a plan. After much discussion it was agreed to defer decision to the following Monday.

Submission No. 14 - Edenderry Area Councillors

Portarlington 2

It was proposed by Cllr. E. Fitzpatrick, seconded by Cllr. J. Foran and agreed to amend Other Settlement Land to Residential and also lands North as residential.

Draft Strategic Environmental Assessment:

Mr. A. Murray, SEP, stated that he hopes to look at this and submit it for monitoring and mitigation . Will change it and will re-submit on Monday.

Wind Strategy:

Mr. A. Murray, SEP, stated that there was a draft map in the Plan for display and is anticipating five submissions. Will be adopted as separate policy document

Retail Strategy:

Mr. A. Murray, SEP, stated that there was a draft map in the Plan for display. Would like to include in the second draft. Will be adopted as separate policy document.

Record of Protected Structures:

Additions to be noted in the minutes

Cllr. M Buckley asked to be allowed to pay tribute to Mr. A. Murray, SEP, on the work he has done which is very good and also paid tribute to the Chairman. Cllr. T. McKeigue also asked to pay tribute to Mr. Murray, SEP, and his team who worked tirelessly on this plan and stated that Mr. Murray is a great ambassador for Offaly County Council.

It was agreed to adjourn the meeting until Monday, 21st January at 10.00 a.m.

This concluded the business of the meeting.

MINUTES CONFIRMED: -

CATHAOIRLEACH

MEETINGS ADMINISTATOR

31ST MARCH 2008