

COMHAIRLE CHONTAE UÍBH FHAILÍ

MINUTES OF SPECIAL MEETING OF OFFALY COUNTY COUNCIL

HELD AT

ARAS AN CHONTAE, TULLAMORE
ON MONDAY, 2ND MARCH 2009 AT 2.00P.M.

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

IN ATTENDANCE: Mr. Pat Gallagher, County Manager Mr. F. Heslin, D.O.S., Mr. Declan Kirrane, D.O.S., Mr. A. Murray, Senior Executive Planner, Ms. M. Gaughran, Town Clerk, Mr. David Hogan, Senior Engineer, Ms. Anne Dillon, (Meetings Administrator), Ms. Natasha Troy

APOLOGIES: Cllrs. J. Butterfield, M. Corcoran-Kennedy, E. Fitzpatrick, J. Foran, M. Fox and G. Killally.

The Cathaoirleach, Cllr. B. Cowen in his introduction advised that the purpose of today's special meeting was to allow for discussions on the 'pre-draft' Birr Town & Environs Development Plan

Mr. A. Murray, Senior Planner informed the members that under Section 148 of the Planning & Development Act, any member who has an interest which is material must declare same and withdraw from any decision making with regard to that part of the plan.

He confirmed that two meetings had been held to date with Birr Town Council, one on the 25th January where it was agreed that the Birr Area Councillors would make their submissions by the 9th February. Another meeting was held on 25th February to discuss these submissions, 3 of which were received and a further meeting is scheduled to be held on the 3rd March to finalise.

He advised that the Statutory Bodies would be notified on 18th March, following this the plan would go on Public display for a period of 10 weeks.

He referred the members to the report on Birr Town Council and Birr Area Members Submissions, which had been circulated.

Pre-draft Cllrs Submission 1: Submission on Behalf of: 9 Birr Town Councillors.

General concern over level of detail in each quadrant (of the Local Area Strategies).

Response:

Mr. Murray advised that he had re-examined the Local Area Strategies. He stated that the function of the Local Area strategies is to set out general guidance on how the various areas could develop and to describe the opportunities for linkages, open space provision, land uses etc. This will inform prospective developers and the public in looking at the potential for developing the areas. He recommended removing much of the detail from the maps and simplified written statements for the strategies. Subject to the members agreement the executive will amend the maps / text to reflect this prior to public display. The executive could examine further the presentation of the strategies with the members later in the process, and any significant amendments would be placed on a second round of public display.

Decision:

Mr. Murray advised that it was decided by Birr Town Council in the presence of the Birr Area Councillors on 25th February to simplify the maps and Local Area Strategies as indicated at that meeting.

1. Plan should highlight and identify areas for:

- a) Medical Centre – where all G. P.’s may come together to avail of facilities.
- b) Garda Station.
- c) National School – (Girls Primary School is full beyond capacity)

Response:

- The ‘pre- draft’ development plan submitted to you contains a considerable amount of lands zoned for ‘public/community/educational’ use. P/C/E lands at Woodfield have been relocated and significantly expanded. There is a new block of P/C/E zoning together with a possible site for a neighbourhood centre adjacent to Meadow Vale / Meadow Court. The P/C/E block at the ‘Rectory lands’ has been considerably extended.
- Should the members wish to do so, the Council could provide a P/C/E zoning block in Local Area Strategy area 4 (Seefin).
- Any of the above could accommodate a medical centre or new school, subject to planning requirements. Note that policy 11-17 relates to primary health care centres. Please also note the planning section did consult with the Department of Education planning section at the start of the process and the dept. indicated that new school sites were not expressly required in Birr, rather, what is required is adequate lands around the existing schools for extensions. The plan provides for such extensions. However new school sites when and if required could be provided on the P/C/E blocks mentioned above.
- He stated he would be reluctant to specify a site for a Gardai station. However as is always the case, the Council will cooperate with and advise the OPW in relation to such development, which he felt would need to be on a prominent site.

Decision:

Mr. Murray advised that it was agreed by Birr Town Council in the presence of the Birr Area Members at the meeting on 25th February that there would be no change to the plan at this stage.

He noted members were concerned regarding the girls school / convent – site constraints. Forward planners to meet again with Dept. of Education. However as mentioned the sites zoned P/C/E could in principle accommodate a new school site

2. Mart should be rezoned Mixed Use.



Response:

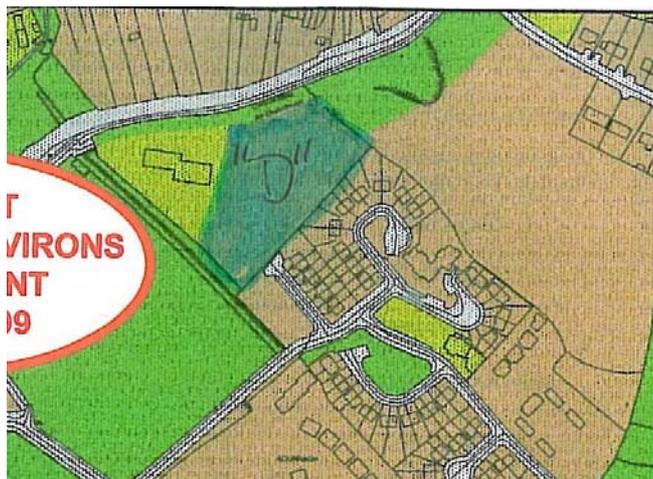
- This requires careful consideration. The mart represents an ‘opportunity’ site. The Council must remain cognisant of the following when making a decision:
 - Potential that commercial development here draws vitality from the Town centre.
 - Potential to utilise an ‘edge of centre’ site for commercial development, potentially drawing some business back towards the town centre from permitted out of town retailing – a balancing of commercial functions.
 - Potential for a large residential development here allowing people to live close to the town centre.
 - Difficulty in assembling sites for commercial / mixed development in town centre.
 - Potential damage that development with a large footprint could do within the historic town core to the south.
 - Potential impact on adjacent residential areas.
- On balance, he considered that the Councillor’s submission represents a recognition of the ‘opportunity’ nature of this site. If the decision is made to amend the zoning, he recommended a strong statement in the plan to the effect that development proposed must have a strong ‘mixed-use’ emphasis and be of sufficiently high stature, quality, design and overall benefit to the town to justify the once-off opportunity presented by the site, that the impact on the town centre must be carefully assessed and that residential amenities and the protection of the heritage character of the town be respected.
- At the meeting of Birr Town Council on 25th February, Mr. Murray looked for clarification from the members as to the size of the site around the mart which the members wish to rezone – a small part of the site only is shaded.

Decision:

Mr. Murray stated on 25th February Birr Town Council members clarified that their request related to all of the mart area and that it was to be rezoned town centre / mixed use for public display. A strong written statement as set out in response above to be included.

Also, members requested that the handball alley be marked as public / community / educational or otherwise flagged within the plan.

- Area between Scurragh and Nun's house should be zoned as open space (marked 'D' on map).



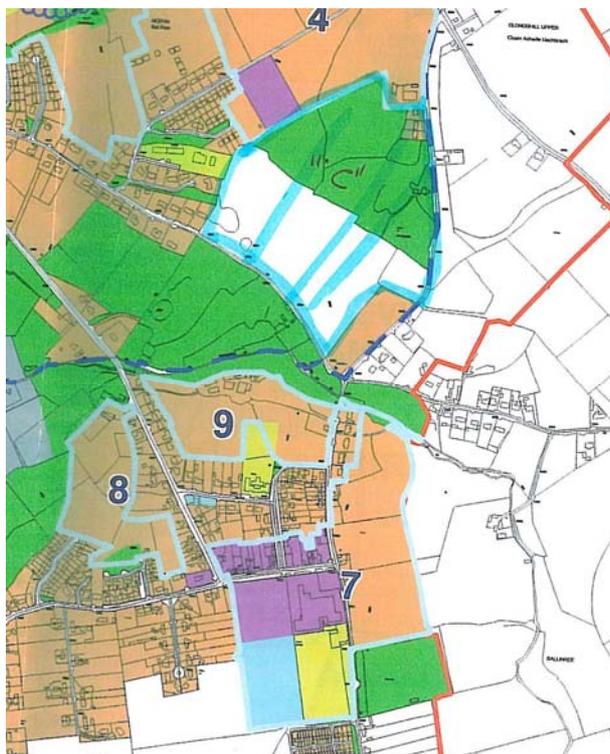
Response:

Mr. Murray advised that this land is zoned as residential in the current plan in addition to the 'pre-draft' plan. In principle he had no objection to this, however the issue / practicalities of making it a 'usable' public open space would be important to consider at this juncture given its ownership and the limited availability of funding for land purchase / development in the present climate.

Decision.

Mr. Murray noted that it was agreed at the meeting of Birr Town Council on 25th February to zone this land for open space. However, after the meeting it emerged that housing has been already permitted on the site. He advised that it would be re-examined again at the Birr meeting on 3rd March.

- Area from Seffin behind Woodlane and stretching to Poulaganive should remain zoned (residential) as per previous plan. (Marked 'C' on map).



Response:

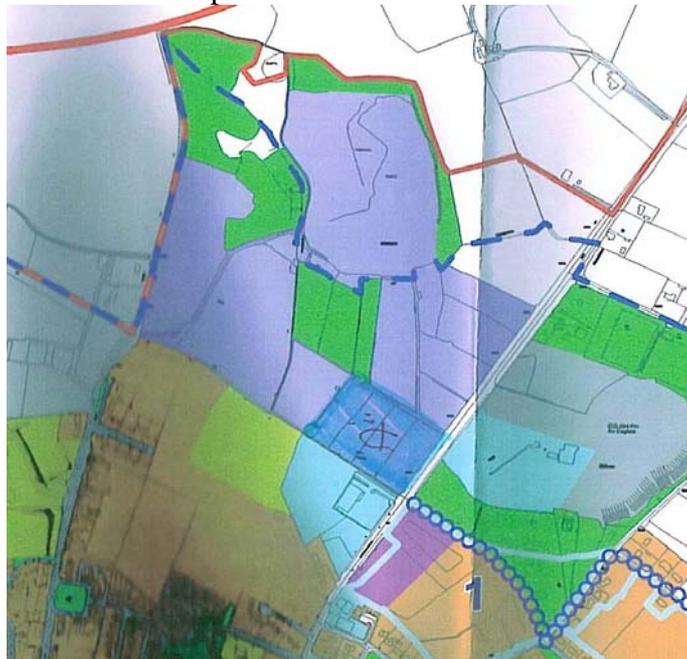
Mr. Murray advised the following:

- The southern element of this submission has been refused planning permission by Offaly County Council and An Bord Pleanála on two occasions. He recognised the concerns of the members in relation to the ‘de-zoning’ of land but note that the Planning and Development Act expressly states that there shall be no presumption that land zoned in a development plan will remain so zoned in a subsequent plan.
- Both of these land parcels represent part of the extremely attractive undeveloped semi-rural ‘environs’ of Birr. They form part of an attractive esker, and represent a fine physical break between the town of Birr and the village of Crinkle. For these reasons the preservation as same would be of great benefit to the town.
- The lands could possibly lend themselves to a parkland or ‘campus’ style development whereby the main bulk of the site remains undeveloped, with very high quality buildings on a small part of the site. Such uses could include a high quality hotel, higher order business premises or education.
- He noted in his reports, as stated at meetings held to date to discuss the development plan and as is stated in the Offaly Local Authorities Housing Strategy, there is far more residentially zoned land in Birr than is required to meet even the higher growth targets of the Midlands Regional Planning Guidelines to 2020.
- He recommended not amending the pre-draft plan.

Decision:

Mr. Murray advised that the Birr Town Council members agreed at their meeting on 25th February that both blocks be zoned residential as per the current plan.

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5. Too much land on Tullamore/Banagher Road zoned as Business/Employment. Reduce amount to that marked ‘A’ on map.



Response:

- The manager's report on the pre-draft public submissions (Aug. 08) stated that the plan would contain a strategy for employment and that employment potential would be facilitated in line with Birr's role as Key Service Town per the MRPGs. Birr is to be the 'driver' for the western part of the Midland Region which is exclusively located within Co. Offaly' and therefore the Councils have direct control over how this element of regional strategy manifests itself for Birr and Offaly.
- As set out in A Murray's presentation on 1 Dec 2008, the executive considers that the plan should set out a clear strategy and identify potential for Birr "as a place to work". This involves:
 - consolidation,
 - expansion (new zoned areas for business / employment),
 - having a hierarchy of larger zoned areas to smaller zoned areas and
 - a flexible approach to ad-hoc or 'softer' employment uses.
- This land (30 ha / 75 acres inclusive of the quarry and open space) represents an aspiration towards significant scale higher order employment-generating activity, i.e. the very upper scale of the hierarchy, recognising Birr's role as a driver for south and west Offaly and recognising the town's role in providing employment opportunities for its present and future inhabitants.
- The members' submission is for the reduction of this to 3 ha (7.5 acres).
- However, members at the council meeting held on 25th January 2009 asked that consideration be given to zoning more land for business and industry.
- Mr. Murray stated consider that there is a major opportunity for a very high quality (only) business / science / technology park in the style of 'campus' development. This would require a lot of land because these styles of parks have small building footprints interspersed with high quality landscaping. This low density of development coupled with very high quality design could create an very obvious entry point to Birr and could represent a very valuable source of employment and development for the town, south Offaly and the western part of the Midland Region.
- Such a prestigious development may not be achievable within the plan period but he considered that the zoning of this land would represent foresight and vision for further high quality business / science / technology development in Birr and south / west Offaly.
- The quarry and the open space to the north could be removed at this stage for practical reasons. They could be revisited in future reviews. The forestry which is proposed as open space in the pre-draft plan could be zoned for business / employment rather than open space and he would favour a strong open space / edge zoning coupled with a strong written statement of intent relating to landscaping / open space / high quality buildings along the N52 and the R439 (Banagher Road). The resulting park would be approx. 19ha (47 acres) in size.

Decision:

It was agreed by the Birr Town Council on 25th February that the Business/Employment Zone be reconfigured as follows:

- Go further out the Tullamore Road
- Do not include lands on the Banagher Road
- Exclude the Quarry

The members asked the Executive to prepare a new proposal for meeting on 3rd March.

6. Land zoned as industrial on Tullamore Rd., should be zoned as mixed use or Business/Employment marked 'B' on map.



Response:

- No objection to changing to business / employment, such zoning could accommodate light industrial use. Mr. Murray cautioned strongly against changing to mixed use and against the members foreseeing further retail development here, however.

Decision:

Mr. Murray advised that at the Birr Town Council meeting on 25th February it was agreed to zone as business/employment.

Pre-draft Cllrs Sub 2: Submission on Behalf of: Cllrs. Ann Hynes Spain, Michael Campbell and Denis Sheils.

Support and agree with submission made by Mr. Denis Guinan reference number BTEDP-01 (27.25 acres) and BTEDP-08 (11.2 hectares) requesting lands be rezoned 'residential' at Lisheen.



Response:

- Mr. Murray strongly recommend against such zoning.
- There is far more residentially zoned land in Birr than is required to meet even the higher growth targets (to 2020) of the Midlands Regional Planning Guidelines, and much of this already zoned land is 'infill' and more sequential in nature.
- Zoning this land would:
 - represent an unjustified extension outwards,
 - predicate against the development of more suitably located and zoned residential sites,
 - predicate against the securing of the Town Distributor Route and the overall co-ordinated and sequential strategy for housing as set out by way of the Local Area Strategies (which total 113 ha / 279 acres, the majority of which is zoned for residential use).
- The land is within an aquifer protection zone and a precautionary approach should be applied, particularly when there are more than adequate alternative lands zoned within the town boundary.

Decision:

It was agreed by Birr Town Council at their meeting 25th February that the members wished to zone part of this land for residential. Members to submit a map showing the proposal for a decision to be made at meeting on 3rd March.

Pre-draft Cllrs Sub 3: Submission on Behalf of: Cllr. Percy Clendennen.

Request that Mr. Denis Guinan's land at Lisheen Birr, be zoned residential as submission number BTEDP/o8 in the Managers report on the pre-draft public consultation.

Response:

- See submission no. 2 above.
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Suggestions from Senior Executive Planner to amend pre-draft.

Mr A Murray, SEP, further to meeting held on 25th January 2009 and having regard to the general directions / opinions of the members reviewed the pre-draft plan and recommended the following amendments to the members for their consideration. This will form part of the members' consideration of the draft plan during the allowed statutory timeframe.

1. The members agreed to the amendments to the written statement as explained at meeting dated 25th Feb. 2009.
2. It was agreed at the meeting on 25/02/09 that the members allow the executive to re-examine car parking standards, particularly for town centre development, in conjunction with the review of the Tullamore Town Plan and report to the members after the public consultation. Any significant amendments to the plan would need to be placed on second public display.
3. It was agreed at the meeting on 25th February that the executive will attempt to map the location of objectives prior to display – separate map.
4. Prior to (if possible) or during the public consultation stage it is suggested that the planners look at the issue of 'mixed use' and 'commercial' zoning. What A Murray is suggesting is a new zoning category, to match that of the CDP 2009-2015, namely 'town centre/ mixed use'. Commercial zoning could be retained but would relate to outer sites. The suggested zoning categories are as follows: Residential, Town Centre / Mixed Use, Commercial, Business / Employment, Industrial, Open Space / Sports / Recreation / Amenity, Public / Community / Educational, Birr Castle. The zoning matrix would also need to be amended. The Birr Town Council members agreed to this proposal on 25th February.
5. Related to same, due to a mapping error the west side of the main street differs from the east side in the pre-draft plan. The Executive asked that the members allow them to change this to commercial to match the east site and the current plan. This was also agreed on 25th February.
6. As noted at the Council meeting on 25th January 2009 "three houses on the right hand side on the approach to Riverstown Village that are within the Birr town boundary have been zoned residential". It was accepted that the members would do the same within the Birr Town and Environs Plan. It was agreed by Birr Town Council on 25th February.
7. It was recommended that, as per the DEHLG's Development Plan Guidelines and the department's requirements relating to the County Development Plan 2009-2015, a short section on monitoring be inserted as follows:

"In order to secure the successful implementation of this plan for Birr and the County Development Plan's overall settlement strategy, the Councils will undertake an ongoing review and monitoring programme".

This process will involve in particular:

- *Analysis of Census data*
- *Analysis of planning applications decided*
- *Development trends relating to Birr and the remainder of the county, having regard to obligations set out by the Regional Planning Guidelines.*

Subsequent corrective action will be taken where necessary. In accordance with Section 15 of the Planning Acts 2000 - 2006, a 2-year report on the progress achieved in securing the objectives contained in the plan will be undertaken. It will contain a sub-section purporting to key findings and possible outcomes of this analysis.

In addition, the Council in its Development Management function will have regard to current relevant Ministerial Guidelines where reference is made to appropriate growth levels in urban areas.

At their meeting on 25th February the Birr Town Council members agreed to this proposal

8. Given the Public Realm study has only recently been presented to the members it is proposed that any necessary or beneficial transfer of policy / objectives from that plan to the Birr Town and Environs plan take place for the next stage of the review. Any significant additions to the draft would need to be put on second public display. This was agreed by Birr Town Council on 25th February.
9. Mr. Murray requested that the members allow the executive to re-examine the industrial zoning at south west sector (High Park) and Syngefield areas of the town and revert to the members in the managers report after the public consultation.
Members decision 25/2/09 was to revert the south west sector (industrial in pre-draft) to the zoning in the current plan, i.e. residential to the north and industrial to the south. Agreed also that executive would re-examine this zoning later in the process, in addition to the relevance of the industrial zoning at Sungefield.
10. Workhouse. A study is being carried out. Mr. Murray proposed to make mention of this in the plan when he got information on its progress from our Heritage Officer. This was agreed by Birr Town Council on 25th February.
11. SEA. All amendments made will be referred to the SEA consultants to ensure that the SEA document (Environmental Report) is based upon the plan as amended by the suggestions from the Executive and the decisions the members make regarding the written submission.
12. Record of Protected Structures. Members have the updated RPS which takes account of the Ministers recommendations per the National Inventory of Architectural Heritage. This must go on public display with the draft plan. Mr. Murray advised that the executive will be further enhancing the presentation and mapping later in the review. Agreed by Birr Town Council on 25th February 2009 to put the consolidated RPS on public display, invite submissions and go through it, record by record at a later stage in the process.

Mr. Murray advised that a decision was made by the Birr Town Council members on 25th February 2009 to change the zoning of Gallows Hill to white lands from residential / open space in the pre-draft.

The members asked that executive re-examine the open space zoning on the Tullamore Road, in particular submission number 28. Mr. Murray noted that a site to the east of Birr Oil was under construction and the zoning of this site too would be examined.

On the proposal of the Cathaoirleach, Cllr. B. Cowen, seconded by Cllr. T. Feighery Offaly County Council members agreed to adopt the draft plan that was circulated on 9th January 2009 as a joint development plan for Birr Town & Environs, subject to the amendments decided at meetings of Birr Town Council and Birr Electoral Area members on 25th February 2009 and 3rd March 2009, insofar as it relates to the functional area of Offaly County Council.

This concluded the business of the meeting.

MINUTES CONFIRMED: -

CATHAOIRLEACH

MEETINGS ADMINISTATOR

18TH MAY 2009