

COMHAIRLE CHONTAE UÍBH FHAILÍ
MINUTES OF SPECIAL MEETING
OF OFFALY COUNTY COUNCIL
TO DISCUSS
TULLAMORE TOWN & ENVIRONS DEVELOPMENT PLAN
2010-2016
HELD IN ARAS AN CHONTAE, TULLAMORE
ON FRIDAY, 26TH JUNE 2009 AT 2.00 P.M.

PRESENT: Cllr. N. Bourke(Presiding), Cllrs. M. Buckley, J. Butterfield, J. Carroll, P. Clendennen, B. Cowen, D. Dolan, E. Dooley, E. Fitzpatrick, J. Foley, T. McKeigue, J. Leahy, T. McLoughlin, S. Moylan Ryan, P. Ormond, D. Owens, G. Plunkett and L. Quinn

IN ATTENDANCE: Mr. Pat Gallagher, County Manager, Ms. R. McNally, Town Clerk, Ms. M. Cleary (Meetings Administrator), Mr. A. Murray, Senior Planner, Ms. R. McKenna, County Architect, Mr. T. Mawe, Financial Accountant, Ms. A. Walsh, Executive Planner, Ms. B. Maher

APOLOGIES: Cllr. C. Hanniffy and N. Hogan

CONSIDERATION OF DRAFT TULLAMORE TOWN & ENVIRONS DEVELOPMENT PLAN 2010-2016 PRIOR TO PUBLIC DISPLAY.

Cathaoirleach, Cllr. N. Bourke informed the members that although it was decided at the annual meeting to hold this Special Meeting to discuss the Tullamore Town & Environs Plan, due to time constraints it was now necessary to discuss an additional item, the Conservation Grants Scheme for 2009.

The County Manager, Mr. P. Gallagher briefly outlined the Development Plan process, emphasising that this is a very important reserved function of the members. He noted that the County Development Plan 2009-2015 had been adopted earlier in the year. He advised that the current Tullamore Town & Environs Plan was varied last year for the purpose of the Midlands Gateway but that Tullamore Town Council are now required to adopt a new plan for the period set out above. Unfortunately, the timeline of the Development Plan does not run in conjunction with the lifeline of the Council, thus, the process of reviewing the current plan and preparing the new draft plan is already underway.

He informed the members that the process commenced in 2008 when the Council advertised, seeking submissions from the public. Further to this, the Manager prepared a report, which included his response and recommendations in relation to same. The report was brought before the members for their consideration and following this, the draft plan was developed and approved for public consultation a few weeks before the elections.

Mr. Gallagher advised the Tullamore Town & Environs Development Plan includes part of the Tullamore Area and so is required to go before the Offaly County Council members for their consideration. He stated that the Tullamore Town Council had met a number of times in the previous week and were now proposing some amendments, which had been circulated. If approved, the draft would be amended and published for a further period of Public Consultation.

Mr. A. Murray, Senior Planner informed the members that Ms. Alma Walsh, Executive Planner would be dealing with Item No. 1 on the Agenda but prior to this he introduced Mr. Conor Skehan, CAAS to give a presentation to the members on the Strategic Environmental Assessment.

Mr. Skehan gave brief presentation to the members on the Strategic Environmental Assessment (SEA) which had been circulated previously. He advised that the SEA is mandatory, was developed as part of the SEA Directive and is required to show how environmental considerations were integrated into the plan by a) anticipation and avoidance and b) showing how alternatives were considered. His presentation also included the following:

- (i) Process - Overview of stages; Overview of outputs
- (ii) The Environmental Report – maps of sensitivities
- (iii) Alternative scenarios
- (iv) Identification and evaluation of conflicts
- (v) Mitigation measures
- (vi) Future issues i.e. ground water vulnerability, future wastewater treatment and flood risk

Mr. Skehan stated that in conclusion the draft plan is environmentally robust, has taken account of any issues and included policies to prevent any occurrences.

Cllr. D. Dolan expressed his concerns with regard to the high flood risk at Whitehall Estate and Grand Canal Quarter areas. He proposed zoning the latter as ‘open space’ as a precautionary measure, his proposal was seconded by Cllr. M. Buckley.

The County Manager in responding suggested postponing any decision until later in the meeting. He noted that in addition to the safe guards made to the variation, he has made further recommendations with regard to flooding, which are included in the proposed amendments.

Ms. A. Walsh, Executive Planner, referred the members’ attention to a document outlining the proposed amendments to the draft plan, which had been previously circulated. She stated that the proposed amendments were prepared as a result of the Strategic Environmental Assessments mitigation measures and also included some minor amendments. She stressed the purpose of these amendments is to strengthen the plan. She outlined the amendments as follows:

1. Introduction and Vision

Amend to include explanatory paragraphs on Strategic Environmental Assessment and the Habitats Directive Assessment requirements.

Include in Chapter 1, Section 1.3.6 and 1.3.7, the following paragraphs on Strategic Environmental Assessment and Habitats Directive Assessment:

1.1 1.3.6 Strategic Environmental Assessment

Strategic Environmental Assessment (SEA) is a systematic process of predicting and evaluating the likely environmental effects of implementing a proposed plan, or other strategic action, in order to ensure that these effects are appropriately addressed at the earliest appropriate stage of decision-making on a par with economic and social considerations. The SEA is being carried out in order to comply with the provisions of the SEA Regulations and in order to improve planning and environmental management in Tullamore. This draft plan should be read in conjunction with the draft Environmental Report of the SEA. An SEA Statement will be prepared once the plan is adopted in 2010 to inform how the SEA process influenced and contributed to the evolution of the final adopted plan.

1.2 1.3.7 Habitats Directive Assessment

The purpose of the HDA, in this context, is to determine whether plans or projects have implications for any Natura 2000 sites in Tullamore (Refer to Chapter 13) and to ascertain whether there will be adverse impacts on the integrity of these sites.

Article 6(3) of the Habitats Directive states:

Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

Where relevant, projects and masterplans arising from this plan should be screened by the applicant for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive

Renumber the sections that follow accordingly.

2. Transport, Accessibility and Movement

Include policy in Chapter 8 as TTEP 08-16 as follows:

TTEP 08-16: It is the policy of the Councils to introduce traffic calming and traffic management schemes where required on particular roads and in appropriate areas throughout the Plan area to effect an overall reduction in vehicle speeds to an acceptable level and to reduce the potential for traffic congestion and associated vehicular emissions in urban areas.

Renumber the policies that follow accordingly.

Include Objective in Chapter 8 as TTEP 08-09 as follows:

TTEO 08-09 To encourage and support the development of multi-storey car parking facilities within Tullamore Town within appropriate locations to accommodate the centralised provision of easily accessible car parking for users and visitors to the town.

Re-number objectives that follow accordingly.

~~Delete~~ and Include written provision in Chapter 14 Development Standards, under section 14.11 Infrastructure, heading Car parking Standards:

~~All new developments will normally be required to provide adequate off street car parking facilities and suitable manoeuvring space. Provision of car parking spaces to meet the needs of persons with disabilities should be made. Landscaping shall be provided within surface car parking areas for amenity purposes and to facilitate drainage. Spaces for coaches, cycle parking and staff parking shall be provided where necessary.~~

~~Bicycle parking stands should be provided in secure and safe locations, which are overlooked and provide easy access to entrances and exits.~~

~~In terms of industrial or commercial developments, loading or unloading facilities shall be provided. Spaces shall be clearly delineated and provided with adequate lighting. Refer to Table 14.2.~~

14.11 Infrastructure

Car Parking Standards

All new developments will normally be required to provide adequate off-street car parking facilities in accordance with the provisions of Table 14.2 and the required ancillary manoeuvring/circulation space. Provision of car parking spaces to meet the needs of persons with disabilities should be made also. Landscaping shall be provided within surface car parking areas for amenity purposes and to facilitate drainage. Spaces for coaches, cycle parking and staff parking shall be provided where necessary. Cycle parking stands should be provided in secure and safe locations, which are overlooked and provide easy access to entrances and exits.

In terms of industrial or commercial developments, loading or unloading facilities shall be provided. Spaces shall be clearly delineated and provided with adequate lighting. Refer to Table 14.2.

In the event of a shortfall of car parking, the Planning Authority will require a contribution in lieu of car parking for the particular application site. A reduction in the car-parking standards outlined in Table 14.2 including a dispensation from payment of contribution in lieu of shortfall may be deemed acceptable by the Planning Authority when an application for development can demonstrate a reasonable reduction in the number of car parking space being provided on grounds including:

- Adequate car parking within the control of the applicant exists in close proximity to the site of the application.
- Complementary uses are proposed on the site taking into consideration daytime and night time uses.
- Level of car parking being provided on site is in accordance with a specifically designed Transport Mobility Plan* for a particular development.
- No significant increase in demand or pressure on existing on-street or public car parking.

For the avoidance of doubt, it should be noted that every development should demonstrate full compliance with car parking requirements for the residential content of any scheme. No provision for car parking at all for residential development will incur the application of a financial contribution in lieu of the shortfall of car parking spaces required.

*A transport mobility plan will be required for all planning applications for large employment based developments, where the Planning Authority consider that a significant level of peak and/or off peak travel will be generated. Transport mobility plans can be applied for developments such as Offices, retail developments (large scale and brownfield site re-developments) and places of education. The transport mobility plan should aim to design a strategy to address the mobility requirements of the development in order to shift the emphasis from car borne usage to increased use of other sustainable transportation modes. Specific actions to be undertaken to minimise the impact of traffic including the provision of car parking from a particular development by addressing issues such as:

- Provision of a definitive amount of car parking for the development, on thoroughly justified grounds.
- Optimising links with public transport systems.
- Provision of adequate facilities for cyclists and pedestrians.
- Provision of facilities for people with impaired mobility
- Encouragement of other modes of transport other than use of private car.

Table 14.2 Car Parking Standards

DEVELOPMENT TYPE	CAR PARKING STANDARD OUTSIDE THE TOWN CENTRE	CAR PARKING STANDARD INSIDE THE TOWN CENTRE
Dwelling house and apartments	2 spaces per unit	1 space per unit
Shops Outside Town Centre	1 space per 23 sq. m. gross floor area	1 space per 33 sq.m. gross floor area.
Offices / financial / professional services	1 space per 23 sq. m. gross floor area	1 space per 33 sq.m. gross floor area.
Industry	1 space per 50 sq. m. gross floor area	Same.
Retail warehousing	1 space per 25 sq. m. gross floor area	Same.
Warehousing	1 space per 100 sq. m. gross floor area	Same.
Theatres/ cinemas/ stadia/ churches/ public halls	1 space per 5 seats	Same.
Sports halls / leisure Centres	1 space per 25 sq. m. gross floor area	Same.
Childcare facilities	1 space per employee and 1 space per 4 children	1 space per employee
Nursing Home	1 space per employee and 1 space per 4 residents	1 space per employee and 1 space per 8 residents.
Ballroom, Disco	1 space per 10 sq. m. gross floor space	1 space per 20 sq.m. gross floor space
Lounge / function room / bar	1 space per 10 sq. m. gross floor space	1 space per 20 sq.m. gross floor space.
Restaurant	1 space per 10 sq. m. gross floor space	1 space per 20 sq.m. gross floor space.
Hotel and guesthouses	1 space per bed	Same.
Hospital	1.5 spaces per bed	Same.
Clinics/ surgeries/ health care	1 space per staff and 3 spaces per consulting room	1 space per staff and 1 space per consulting room.
Playing pitches	25 spaces per pitch	12 space per pitch
School	1 space per teaching staff and 1 space per classroom	Same.
Libraries/ galleries/ museums	1 space per 30 sq. m. gross floor area	1 space per 60 sq. m. gross floor area.
Funeral home	1 space per 5 sq. m.	1 space per 10 sq.m.

3. Infrastructure and Environment

3.1 Considerations Regarding Flooding

Where lands have been zoned for development in areas identified at risk of flooding, the Councils have taken the following into consideration:

- ~~▪ The availability of a management strategy for flooding in the form of the FRAM for Tullamore.~~
- ~~▪ The need to progress the development of the Gateway in line with national and regional policy through zoning adequate lands to accommodate the sequential growth of the town.~~
- ~~▪ The overall footprint of the urban area and the need to establish stronger connectivity throughout the town.~~
- ~~▪ The capability of zoned lands to cater for less intensive use where these lands are located within a floodplain.~~
- ~~▪ Development that is located within the identified floodplain, in particular on undeveloped lands and which is premature pending comprehensive mitigation works for the area will not be considered favourably.~~

- The availability of a management strategy for flooding in the form of the FRAM study for Tullamore.
- Tullamore is designated as part of the Midlands Linked Gateway within the National Spatial Strategy. The role of the Gateway is further expanded on in the Midland Regional Planning Guidelines (MRPGs) 2004-2010 (Refer to Chapter 2 for further information on Tullamore's role in the Midlands Gateway). The strategic development and growth of the town is critical for a successful Linked Gateway to be achieved. Lands within Tullamore Town and Environs have been identified for development to accommodate the expanding needs of the town in relation to accommodating projected population increase, catering for high level business and employment opportunities and creating new communities, in line with the provisions of the NSS and the MRPGs. A portion of the identified development lands is located within the floodplain of the Tullamore River and has been included in order to support and supplement the capability of Tullamore town to deliver the needs of existing and new communities and address the challenge of creating a successful Midlands Gateway.
- Lands identified for development within the floodplain comprise of developed and undeveloped lands within the town and environs area. The lands are considered to be underutilised despite their proximity to the town centre and the strategic nature of landuses adjacent.
- The development of the identified lands would constitute strengthening the overall footprint of the urban area and the need to establish stronger connectivity throughout the town. As indicated throughout this plan, the strategic goals for the development of the town are required to be underpinned by a land use plan capable of delivering them. Extending the overall footprint of the urban area through the development of these lands will further consolidate the town centre and provide the necessary linkages and connectivity for existing and new communities.
- Strategic Environmental Assessment has already been undertaken on lands identified and adopted within the floodplain for development through the SEA process for Variation No. 4 to the Tullamore Town and Environs Development Plan 2004-2010. In addition, SEA has also been undertaken as part of the review of this plan with alternative scenarios examined therein (Refer to Draft Environmental Report).
- The process of preparing Variation No. 4 examined thoroughly alternative options for zoning lands within the environs area. In addition, the SEA process developed alternatives for the variation. The process indicated that the most viable option available to address the needs of Tullamore, as a Linked Gateway Town, was to zone lands that had previously been indicated for 'future development'. These areas included lands within the floodplain.
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- The capability of zoned lands to cater for less intensive use where these lands are located within a floodplain.

3.1.1 Include Policy in Chapter 10 TTEP 10-17

TTEP 10-17 It is the Councils' policy that in the case of development proposals in floodplain areas, the mitigation measures as outlined in the Tullamore FRAM 2008 shall be fully implemented prior to the proposed development taking place.

3.2 Water Pollution

3.2.1 Include policy in Chapter 10 as TTEP 10-13 as follows:

TTEP 10-13: It is the Councils' policy that landuses shall not give rise to the pollution of ground or surface waters during the construction or operation of developments. The Councils encourage adherence to best practice in design, installation and management of systems for the interception, collection and appropriate disposal of treatment of all surface waters and effluents.

Renumber the policies that follow accordingly.

3.2.1 Inclusion of the following statement to Chapter 19, page 14 of 17, section on Wastewater Disposal (to be renamed to **Water and Wastewater Disposal**):

Landuses shall not give rise to the pollution of ground or surface waters during the construction or operation of developments. This shall be achieved through the adherence to best practice in the design, installation and management of systems for the interception, collection and appropriate disposal of treatment of all surface waters and effluents.

3.2.2 Amend TTEP 10-21 as follows:

TTEP 10-21 It is the Councils' policy to ensure that agricultural developments are designed and constructed in a manner that will ensure the watercourses and sources of **potable** water are protected from the threat of pollution.

3.2.3 Amend TTEP 10-23 as follows:

TTEP 10-23 It is the Councils' policy to implement relevant air quality and noise legislation in conjunction with other agencies as appropriate and to maintain good air quality in Tullamore.

4 Natural Heritage, Landscape and Amenities

4.1 Protected Views

Include in Chapter 13 Natural Heritage, Landscape and Amenities the following paragraph to Section 13.2.6:

The designation of areas of high amenity within County Offaly and Tullamore provide a basis for the protection of views and prospects of certain visually vulnerable features. However, there may be a number of individual views and prospects which warrant protection within the town and environs area. Site visits for each particular planning application will finally determine if any views will be affected by a proposed development. The protection of a view, and its application through the Development Management process (Objective TTEO 13-19) is simply to protect that view and not to cross over with other controlling policies, for example the single rural house policy.

4.1.1 Include Objective TTEO 13-19 to state:

TTEO 13-19 It is an objective of the Councils to preserve scenic views and prospects throughout the town and environs area which will be assessed on a case-by-case basis, as part of the development management process.

Amendments to Draft Environmental Report

Recommend removal of the following Mitigation Measures as the policies included within the plan adequately address these issues:

- 9.3.6 Water Protection II
- 9.3.8 Waste Water I
- 9.3.9 Waste Water II
- 9.3.10 Drinking Water I
- 9.3.11-9.3.12 Flooding I-IV
- 9.3.15 Architectural Heritage I
- 9.3.19 Energy and Transportation II

Update Section 3.5.5.3

Update Section 3.9.6

The County Manager advised the following:

- The executive had taken the Ministers advise regarding the flood risk i.e. have acknowledged, identified and made recommendations.
- The executive had taken into account the O.P.W.s recommendation to avoid zoning in a floodplain unless the L.A. has good reason.
- The executive have provided for a very detailed assessment and detailed recommendation.
- TTEP10/17 Mitigation Measures - included polices to ensure mitigation measures are addressed
- If amendments are approved, he ensured the members that they will have fulfilled their responsibilities and provided for potential risks.

In responding to a comment made by Cllr. Dolan, the County Manager advised that construction works are proposed in relation to Whitehall estate. (he said something about the FRAM study.....)and confirmed that the County Development Plan at that time would not have included an in dept study.

Cllr. E. Dooley, proposed adopting the plan as amended. This proposal was seconded by Cllr. D. Owens.

A lengthy discussion ensued where a number of the members expressed their concerns with regard to the flooding issue. Cllr. D. Dolan stated that although he agreed with the amendments in principle, he did not agree with zoning lands in a floodplain. Following a full and frank debate it was decided that if the amendments, which took measures to deal with the issue of flooding had been approved, it would be contradictory to rehash the issue of zoning at this stage. It was agreed to send the plan as amended for Public Consultation to allow for the public to make submissions. Cllr. Dolan requested that his opposition to this decision be recorded in the minutes.

CONSERVATION GRANTS SCHEME 2009

Ms Rachael McKenna, County Architect, directed the members attention to the Conservation Grants Scheme 2009 which had been previously circulated. With regard to same she advise the following:

- The Conservation Grant Scheme is operated by OCC on behalf of the Department of the Environment, Heritage and Local Government. It is provided to assist owners/occupiers carry out conservation works or repairs on protected structures.
- Under the scheme, a wide range of conservation works will qualify for grants, amounting up to 50% of the cost of the works up to a maximum of €13,000 and in special circumstances up to 75% and €25,000. This level of funding is dependent on the total allocation received and the number of applicants.
- The scheme has operated since 1999 and the no of applicants has varied from 11 in 1999 to 36 in 2001.
- Last year the allocation was €13,000, this year we have received an allocation of €102,500
- OCC were notified of the allocation on 28th May, which was two months later than in previous years, following this:
 - 1- Asses the applicants for eligibility,
 - 2-Carry out site visits where appropriate,
 - 3-Prioritise works and
 - 4- Prepare the report which you see today.
- Works are generally prioritized by establishing:
 - 1-**Type of structure** involved (home, outbuilding, commercial premises etc),
 - 2-**Proposed works** (roof repairs - help to seal the building - more decorative type of works),
 - 3-**Estimated costs** (this year range from €2,000-€26,000),
 - 4-**Severity of disrepair** (minor repairs for missing slates of repair of entire roof),
 - 5-Finally are **other sources** of funding available to the applicant (Heritage Council or Civic Structures Scheme).
- When funding is approved by the Council, a Certificate of Provisional Approval is drawn up by the Planning Department, outlining Funding, the types of works approved and general conditions.
- The applicants must then secure their contractor, carry out and complete works and send invoices and receipts to the Planning Department by 1st Oct 2009.
- The Report shows a snap shot of all applicants, a Map outlining their Location, this year there is a good distribution throughout the county. This list below shows two in green , the first is deferring works till next and no.14 is not on the Record of Protected Structures and therefore not eligible for a grant. All of the remaining applicants have received some level of funding. The next page gives summary of the applicants, proposed works and provisional funding. The body of the report gives detailed information on each application, with a description of the structure.

In responding to queries raised, Ms. McKenna confirmed that works are prioritised, applicants are not means tested and monies not spent will be returned to the Department. She stressed that even a small amount of funding is important as it can encourage applicants to go carry out the works. She informed the members that the funding received was high in comparison to other councils due to the large number of protected structures which were submitted.

The County Manager advised that regretfully it is not at our discretion to use the funding for other projects. He advised that there is a provision in the act that allows for additions/deletions to the Record of Protected Structures.

On the proposal of Cllr..... , seconded by Cllr. E. Fitzpatrick the council approved the Conservation Grants Scheme for 2009 as circulated.

This concluded the business of the meeting.

MINUTES CONFIRMED: -

CATHAOIRLEACH

MEETINGS ADMINISTATOR

20TH JULY 2009