



KELLS TOWN COUNCIL



MEATH COUNTY COUNCIL

## **CEANANNAS MOR (KELLS) DRAFT DEVELOPMENT PLAN 2007-2013**

**Manager's Report to Members on Submissions  
Received in Respect of Proposed Amendments  
to Draft Kells Development Plan prepared  
under Section 12(8)(a) of the Planning and  
Development Act, 2000**

**Presented by the County Manager to the Members of Meath  
County Council for their consideration on 1<sup>st</sup> October, 2007**

**Presented by the Town Manager to the Members of Kells  
Town Council for their consideration on 1<sup>st</sup> October, 2007**

## Section 1 - Introduction

### Purpose and Contents of Report

The purpose of this Managers Report is threefold:

- To report on the outcome of the consultation process on the proposed amendments to the Draft Kells Development Plan;
- To set out the County Manager's/ Town Manager's response to the issues raised in the submissions;
- To make recommendations on changes to the proposed amendments as appropriate.

This report forms part of the statutory procedure for the preparation of a new Kells Development Plan.

This report is prepared under Section 12 (8) (a) of the Planning and Development Act 2000. The Manager is required to prepare a report on any submissions and observations received and submit the report to the members of the authority for their consideration. This report is required to:

- (i) list the persons or bodies who made submissions or observations,
- (ii) summarise the issues raised by the persons or bodies in the submissions or observations, and
- (iii) give the response by the Manager to the issues raised taking account of any direction of the members of the authority, the statutory obligations of the authority and any relevant policies or objectives of the Government or of any Minister of the Government.

This report is laid out in 2 sections: **Section One** contains an introduction, outlines the statutory process, contains details of the public consultation on the amendments; **Section 2** contains an analysis of each submission received, followed by the Manager's opinion on these issues raised and recommendations as a result of the submissions; Appendix A contains a list of the prescribed bodies to whom a copy of the Amendments were referred.

## CONTEXT & PROCESS

### Legislative Background for the Draft Development Plan- Planning and Development Act, 2000 as amended

The Planning and Development Act 2000 revised all previous planning legislation and introduced a number of changes in the Development Plan process. The Act requires that Amendments to the Draft Development Plan are placed on display for not less than 4 weeks, and that a notice and copy of the amendments are sent to the Minister, and all Prescribed Bodies and that a notice is placed in a newspaper circulating in the area. The Amendments to the Draft Development Plan were on public display from Thursday 23rd August 2007 to Thursday 20<sup>th</sup> September 2007 during normal office hours.

In complying with SEA Directive (2001/42/EC) and the Planning and Development (Strategic Environmental Assessment) Regulations, 2004, information on likely significant effects on the environment of implementing the proposed amendments to the Development Plan was prepared and was available for inspection and comment.

Not later than 8 weeks after the notice of the amendments going on display, the Manager is required to produce a report listing the submissions, summarising the issues and giving recommendations; this document complies with that requirement.

Under Section 12 (9) of the Act, following receipt of this document, the members are required to consider the Amendments to the Draft Development Plan and the Manager's Report. Such consideration must be completed within 6 weeks. During this six weeks the members must make the Development Plan. The Development Plan comes into effect 4 weeks from the date it is made.

**Public Consultation on the Amendments to the Draft Plan**

46 written submissions were received during this consultation period. The Councils wish to express their appreciation to those who made submissions. Copies of individual submissions can be viewed at the Planning Department, County Hall Navan.

**Display**

The Amendments to the Draft Kells Development Plan were on public display from Thursday 23rd August 2007 to Thursday 20<sup>th</sup> September 2007 during normal office hours at the following locations: Planning Department, Meath County Council, County Hall, Navan; Kells Town Council & Area Office, Town Hall, Kells; Kells Library, Castle St. Kells.

The Council wrote to all of the Prescribed Bodies informing them that Amendments to the Draft Plan were on display and of the dates within which submissions would be considered, and sent a copy of the Draft Plan on CD to all prescribed bodies, and in printed form to those who requested such.

The amendments were placed on the Meath Coco website.

**Approach to Consideration of Written Submissions**

Following the initial recording of all submissions, each submission was individually assessed, summarised and proposed changes recommended, where appropriate.

## Section 2 – Submissions Received

Submission No	Name & Address
1	<b>Bus Eireann, Irish Bus, Broadstone, Dublin 7</b>

### Summary

This submission objects to the development plan as it considers that the plan would seriously and negatively impact on its transport/maintenance facility in Kells. This submission was received to the Draft Development Pan and was fully assessed in the Managers Report on submissions.

### Response

The matter referred in this submission was not the subject of an amendment.

### Recommendation

No change recommended.

Submission No	Name & Address
2	<b>Padraig Baireid on behalf of Gael Colmcille GAA Club</b>

### Summary

This submission seeks the to be included in consideration of the allocation of lands of circa 50 acres which are proposed to be identified for community facilities. Gael Colmcille GAA Club requires lands capable of accommodating 3 full size football pitches, a full size astroturf GAA pitch, 18 hole pitch and putt course and all associated facilities.

### Response

The submission is noted. Potential users of any lands which are identified for community facilities are yet to be identified.

### Recommendation

No change recommended.

Submission No	Name & Address
3	<b>National Roads Authority, St Martins House, Waterloo Rd, D4</b>

### Summary

Concern was expressed in the submission of the NRA at the significant tracts of land proposed to be zoned proximate to the By-pass at the Lloyd Business Park. Concern is expressed in this submission that further lands at this location are proposed to be zoned in the amendments. The submission requests that these rezoning proposals should be reexamined for impacts on the National Road network. The Planning Authority is advised that if the zonings are adopted and lead to a requirement for additional funding to preserve the capacity of the national roads network including additional land costs, the local authority will be required to bear the additional costs. The NRA aims to protect the strategic national investment in the area and will if necessary appeal any decision to grant planning permission, which it considers, undermines the investment.

### Response

This submission expresses concern at the extent of lands zoned for employment generating uses in the draft plan proximate to the Kells Bypass and the impact this may have on land values of

those lands to be acquired for the bypass. These lands include the existing Lloyd industrial estate which does not currently have the benefit of any land use zoning objective and contiguous lands were identified to facilitate a reasonable expansion of employment generating uses in Kells in order to create a sustainable settlement. This is considered reasonable.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>4</b>	<b>RPS Planning and Development on behalf of the Gavin Family</b>

**Summary**

The Submission refers to land in the Gavin family ownership at Cavan road. The submission seeks to have a 2 acre site at this location included in Phase one in the order of priority, this land has been zoned A2 since 2001 and has been included in Phase 4. This land was subject to an unsuccessful planning application in January 2007, is located adjacent to existing residential development and their inclusion in phase one would promote a better pattern of land use. The submission also suggests that the subject site merits inclusion in phase one as it compares favorable in terms of services and location with the large area of land zoned phase 1 on the eastern periphery of the town. The submission concludes by indicating the willingness of the Gavin family to work with the relevant stakeholders to fulfill the objectives of the Planning Authority as expressed in the draft Kells Development Plan.

**Response**

The order of priority outlined in the Managers Report on submissions on the draft plan was devised in accordance with the principals set out in the County Development Plan. The lands the subject of this submission do not accord with the criteria determining the release of residentially zoned land as outlined in Section 2.1.7.1 of the County Development Plan 2007-2013. Therefore allocating these lands an earlier release date would not accord with the proper planning and sustainable development of Kells.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>5</b>	<b>Dr Ronan Faulkner, 37 Headfort Woods, Headfort Road</b>

**Summary**

The submission objects to the road linking the Carlanstown and Slane road. The route is badly planned, ignores all health and safety factors and will split lands zoned residential and will impact in a negative manner on Maudlin Bridge and Headfort Bridge. No evaluation of the impact of increased traffic on the Headfort road has been undertaken. The amendment in summary ignores health and safety and heritage issues and will not benefit the people of Kells.

**Response**

The amendments map illustrates a road from the Carlanstown road to the Headfort road and expresses a desire of the Planning Authority to provide a link between these two roads which would also provide a means of access to lands in this sector of Kells. The route of the road

between the two roads is shown indicatively only on the amendment map. At the stage of detailed route design all technical aspects including traffic volumes will be examined in detail. The provision of the road will be subject to the planning process and will be the subject of further public consultation as part of this process.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>6</b>	<b>Margaret Morris, 37 Headfort Woods, Headfort Road</b>

**Summary**

Same submission as 5, see No 5 for summary.

**Response & Recommendation**

Please refer to submission 5.

Submission No	Name & Address
<b>7</b>	<b>Kathryn Lydon, 12 Headfort Woods, Headfort Road</b>

**Summary**

Same submission as 5, see No 5 for summary.

**Response & Recommendation**

Please refer to submission 5.

Submission No	Name & Address
<b>8</b>	<b>Sean Lucy &amp; Associates on behalf of Thomas Clinton</b>

**Summary**

This submission refers to lands adjoining Lloyd business park which were zoned for E2 for Employment uses in the amendments to the Draft Kells Development Plan. This submission considers that the buffer zone surrounding the lands restricts access to these lands. The submission seeks to have sufficient road frontage available to access the site.

**Response**

It is intended that these lands would be accessed by means of an extension of the existing access through the Lloyd business park in order to ensure that the area develops in a co-ordinated manner as a planned extension to the existing business park. Therefore the issue raised in this submission is not considered to be relevant.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>9</b>	<b>Sean Lucy &amp; Associates on behalf of Thomas Clinton</b>

**Summary**

This submission relates to lands adjoining the Carlanstown road and expresses satisfaction with the revised location of the distributor road. This submission seeks clarification in relation to 5 acres of land north and east of the distributor road to be ceded to MCC by the owner. The submission states that an additional 3 acres have been identified as open space (maps included with submission) which were not offered. The submission seeks to have 2 of these 3 acres zoned residential with an additional 1 acre offered as open space.

**Response**

The issue referred in this submission are not the subject of an amendment to the Draft Development Plan. The Manager is satisfied that the amount of land zoned at this location as F1 open space is appropriate. There is no justification for any further zoning of land for residential purposes on the periphery of the development boundary.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>10</b>	<b>Sean Lucy &amp; Associates on behalf of Thomas Clinton</b>

**Summary**

This submission relates to lands adjoining the Moynalty road, the submission offers 12 acres for community/recreational use including development of pitches. The submission seeks to have 5.22 ha included in Phase 2 of the Order of Priority in the amendments included as part of Phase 1 and the remaining 4.9 ha to be zoned A2 residential (map included with submission). The submission points out that an additional 3 acres have been zoned for community facilities which have not been offered by the owner.

**Response**

The Manager is satisfied that the extent and location of lands identified at this location for community use is reasonable having regard to the needs of Kells. In addition the pace at which the Order of Priority releases residentially zoned land at this location is considered reasonable.

**Recommendation**

The mapping error raised in the submission will be corrected.

Submission No	Name & Address
<b>11</b>	<b>Argue Ryan Partnership, St Colmcilles Nursing Home, Oldcastle road</b>

**Summary**

This submission seeks to have an additional 5.46 acres zoned for community facilities to accommodate a scheme of sheltered houses as the submission states that the existing site is not large enough to accommodate sheltered housing, an extension to the existing nursing home facility and to provide primary healthcare facilities on site. The submission also seeks that the

following objective inserted 'To protect existing and provide for future development of a primary community healthcare facility at St Colmcilles Nursing Home, Oldcastle road.

**Response**

The site of the existing nursing home has a community facilities land use zoning objective which accords with the existing use on site, any planning application seeking an expansion of facilities within the current site area would be examined on its merits as part of the development management process. This submission is seeking G1 zoning, sheltered housing is not permitted G1 zoned lands therefore the submission is seeking residential development and the need for additional residential zoning has not been established. The objective outlined above was included as an amendment to the Draft Kells Development Plan.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>12</b>	<b>Anthony Kelly, Delvin, Mullingar</b>

**Summary**

This submission relates to lands to the south of Kells accessed off the Athboy road. The submission expresses concern that these lands have been zoned for low density development as an amendment to the draft Development Plan. Mr Kelly considers that this change from A2 to A5 is unfair and inequitable. The submission seeks to have the A2 zoning reinstated. The submission offers the provision of a temporary treatment plant to serve a scheme on Mr Kelly's land and an additional 100 houses. In addition Mr Kelly is prepared to make a contribution to a cctv survey for Kells to determine appropriate existing development to connect to the treatment plant proposed. The submission wants to construct 36/40 dwellings on a portion of the existing land with the remaining 2.7 ha not be developed until adequate sewerage capacity is available.

**Response**

The Order of priority suggested in the Managers report on draft submissions placed Mr Kelly's lands in phase 4 due to their peripheral location. The order of priority in the Managers Report was devised in accordance with the principals set out in the County Development Plan. The lands the subject of this submission do not accord with the criteria determining the release of residentially zoned land as outlined in Section 2.1.7.1 of the County Development Plan 2007-2013. Therefore allocating these lands an earlier release data would not accord with the proper planning and sustainable development of Kells. This proposal of building on half of the land would result in an unfinished housing scheme.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>13</b>	<b>Fergus Carolan &amp; John Byrne, Secretary, Kells Parish Finance and Administration Committee</b>

**Summary**

This submission seeks clarity regarding pedestrian way at side of Church as it appears to be located on the boundary wall of Church property.

**Response**

The amendment referred in this submission shows an indicative location for a pedestrian route between Church and HSE property. This route way was included in the adopted Kells Backlands LAP. Two days of stakeholders meetings were held with Planning officials in 2006 to discuss the LAP. One of the writers of the above submission attended a stakeholders meeting at which this route way was discussed. Changes to this walkway were proposed as amendment to the Draft Development Plan and therefore were the subject of further consultation.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>14</b>	<b>Ann Reilly, Brentwood, Bective St , Kells</b>

**Summary**

This submission relates to the KS1 objective and expresses full support for the proposed amendment and welcomes the opportunity to fully participate with the Council in preparation of the Framework Plan. The submission further states that co-operation with the Council for the delivery of community /recreational use is subject to a satisfactory outcome in relation to over all zoning of lands at this location.

**Response**

Substantial additional residential zoning is sought and referred to above, any additional residential land use zoning in Kells is not required having regard to the existing amount of undeveloped land available, the unit allocation to Kells over the Plan period as outlined in Table 6 of the adopted Meath County Development Plan 2007- 2013, the lack of piped services currently available to service existing lands and the likely time period for upgrading these services. In addition these lands are peripheral even in the medium term to the centre of Kells.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>15</b>	<b>John Spain on behalf of George Armstrong, Sparrowfield , Kells</b>

**Summary**

This submission relates to lands located at the Newrath interchange. The submission states that lands have been down zoned in the draft plans, maps attached. The Managers report on Submissions received in respect of the Draft Development Plan states that the Draft Development Plan map has been checked and will be altered in accordance with the 2001 Kells Development Plan urban detail map. The submission points out that the amendments map has not corrected this error. These lands have been included within phase 4 of the Order of priority and this submission seeks to have the prioritisation omitted or the lands should be included within phase one.

**Response**

The correction indicated in the Managers report was omitted in error and this error will be corrected in the adopted Development Plan. The order of priority outlined in the Managers Report on submissions on the draft plan was devised in accordance with the principals set out in the County Development Plan. The lands the subject of this submission do not accord with the

criteria determining the release of residentially zoned land as outlined in Section 2.1.7.1 of the County Development Plan 2007-2013. Therefore allocating these lands an earlier release date would not accord with the proper planning and sustainable development of Kells. The prioritisation can be omitted, only those lands identified in phase 1 will be released over the period 2007-2013.

**Recommendation**

Mapping error will be corrected.

Submission No	Name & Address
<b>16</b>	<b>GVA Planning &amp; Regeneration Ltd on behalf of Tesco Ireland Ltd</b>

**Summary**

This submission relates to the phased release of land and interdependences with the Backlands LAP. In relation to the phased release of lands the submission expresses concern that this may inhibit mixed use development and critical road infrastructure. The submission requests that the phasing arrangement be reexamined to ensure that viable mixed use schemes can progress. The submission suggests that there should be no restriction on town centre residential lands and the development of town centre lands should be encouraged before peripheral locations.

The removal of interdependencies between the town centre expansion areas is welcomed. It is submitted that these areas should develop independent of phasing. The creation of two bi-polar commercial areas should be allowed to develop in tandem ensuring that physical links can develop.

**Response**

The Manager concurs with the comments expressed regarding focus on development of the town centre. The Managers report on submissions on the draft Development Plan recommends an order of priority which emphasises development/consolidation of the town centre as phase 1 priority.

**Recommendation**

The Manager recommends, in accordance with his previous report, an allocation of Phase 1 priority release to phase 1 and 2 of the Backlands LAP lands in order to achieve town centre consolidation over the plan period.

Submission No	Name & Address
<b>17</b>	<b>Stephen Collins on behalf of Val &amp; Dermot Clarke</b>

**Summary**

This submission relates to lands in the Clarke’s ownership in the Backlands LAP area the land use zoning objective which has been changed from residential to educational uses in the Draft Development Plan. The submission expresses a desire to work with the Local Authority and recognises that there is logic to retaining the campus style arrangement of the current schools. The submission notes that the amendments to the Draft Development Plan proposes to zone the school site on the Cavan road for retail warehousing. The submission outlines the keenness of the Clarke’s to co-operate in achieving the goal of a schools campus. A number of concerns are expressed including the size and configuration of the G1 lands. As currently proposed the configuration cuts off the remainder of the residential lands in the Clarke’s ownership from the

town centre. The G1 land take could be reduced and the submission suggests that some consideration should be given to taking part of the G1 lands from lands to the north of the Clarke land holding proximate to existing schools.

The submission expresses concerns regarding access to their lands which due to the change in access road configuration could result in the Clarke land being land locked.

The submission expresses disappointment that their lands can only be developed post 2013. The submission requests the designation of their lands which are closest to the school site to be released in phase 1 which could be tied to the delivery/transfer of the school site. The submission requests that the Council consider entering into a land swap agreement between the school site and the comparably sized site on the Cavan road.

**Response**

This submission outlines a reasonable proposal for the delivery of a school site at the existing campus. However identification of lands within phase one of the order of priority is not warranted.

**Recommendation**

No change recommended

Submission No	Name & Address
<b>18</b>	<b>Department of Education and Science, Portlaoise Road, Tullamore, Co Offaly</b>

**Summary**

The submission states that the Dept outlined in its submission to the Draft Kells Development Plan its plans for the acquisition of an 11 acre site on the Cavan road to facilitate the relocation of Eureka school. The Dept expresses concern that this site has been zoned for retail warehousing as an amendment to the Draft Development Plan. The Dept outlines its objection to this zoning change and urges a reconsideration in this matter.

**Response**

The Manager continues to support the retention of the campus arrangement for schools in Kells. The relocation of Eureka to the Cavan road does not retain this arrangement.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>19</b>	<b>Noel McGloin, Fisheries Environmental Officer, Eastern Regional Fisheries Board, 15a Main St, Blackrock, Co Dublin</b>

**Summary**

Although it is acknowledged in the draft development plan that there are capacity constraints, the Fisheries Board believe that this plant is already at capacity and cannot handle any more wastewater from Kells. A recent audit of the Kells Wastewater treatment plant by the EPA revealed serious deficiencies in the calculation of wastewater loads entering and exiting the treatment plant to the point that it is total unclear as to the situation existing at the plant. It can be assumed from, this report that the plant is at or well over capacity. It is therefore a mistake to

allow for spare capacity in a plant which does not have any. This submission notes the extent of undeveloped lands in Kells and respectfully suggests that these be de zoned pending an upgrade of the WWTP. The submission also points out that the River Blackwater is a Csac, this habitat was under severe pressure during the Summer when water levels were low and temperatures were high. The major constraint with regard to the availability drinking water is also noted. Concern is expressed regarding the environmental impacts of any development pending an upgrade of the WWTP.

**Response**

The order of priority represents a programme for the phased release of residentially zoned land. Limited development will be able to progress pending a resolution of the service constraints current in Kells. The Water Services Investment Programme 2007- 2013 has included the upgrade of the Kells Wastewater Treatment Plant and has allocated 11 million euros to fund this upgrade.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>20</b>	<b>Sisters of Mercy Northern Province</b>

**Summary**

This submission states that it relates to the 11 acre site on the Cavan road designated to facilitate the relocation of Eureka school. The submission seeks immediate rezoning of this land from the current proposal of retail warehousing to community/educational/recreational facilities to facilitate the relocation of Eureka school.

**Response**

The Manager continues to support the retention of the campus arrangement for schools in Kells. The relocation of Eureka to the Cavan road does not retain this arrangement.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>21</b>	<b>Caroline O'Reilly, Principal Eureka Secondary School, Kells</b>

**Summary**

This submission wishes to stress that the zoning of the 11 acre site on the Cavan road for community/educational/recreational facilities is essential for the quick delivery of a new school for Eureka. The submission seeks immediate rezoning of this land from the current proposal of retail warehousing to community/educational/recreational facilities to facilitate the relocation of Eureka school.

**Response**

The Manager continues to support the retention of the campus arrangement for schools in Kells. The relocation of Eureka to the Cavan road does not retain this arrangement.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>22</b>	<b>Sister Columba Gargan, Chairperson Board of Management Eureka Secondary School, Kells</b>

**Summary**

This submission wishes to stress that the zoning of the 11 acre site on the Cavan road for community/educational/recreational facilities is essential for the quick delivery of a new school for Eureka. Services are available, the Department has confirmed the site to be suitable, planners have agreed and ownership is imminent. The submission seeks immediate rezoning of this land from the current proposal of retail warehousing to community/educational/recreational facilities to facilitate the relocation of Eureka school.

**Response**

The Manager continues to support the retention of the campus arrangement for schools in Kells. The relocation of Eureka to the Cavan road does not retain this arrangement.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>23</b>	<b>Johnny Brady, TD John St Kells</b>

**Summary**

This submission wishes to make the following amendment "that the Cavan road site be changed from the current proposal of retail warehousing to community/educational/recreational facilities to facilitate the relocation of Eureka school.

**Response**

The Manager continues to support the retention of the campus arrangement for schools in Kells. The relocation of Eureka to the Cavan road does not retain this arrangement.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>24</b>	<b>Michael Allen on behalf of Edmund Kelly and Mary Casey Kelly</b>

**Summary**

This submission refers to land west of Bective street which was not the subject of an amendment. This report can only address those submissions which refer to amendments to the draft plan.

**Response & Recommendation**

No change recommended.

Submission No	Name & Address
<b>25</b>	<b>Kells Celtic AFC</b>

**Summary**

This submission seeks the to be included in consideration of the allocation of lands of which are proposed to be identified for community facilities.

**Response**

The submission is noted. Potential users of any lands which are identified for community facilities are yet to be identified.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>26</b>	<b>The Residents Committee, Archdeaconry Glebe, Maudlin Rd</b>

**Summary**

This submission seeks to have the open space at the entrance to their estate zoned FI, open space

**Response**

This submission refers to a housing scheme on Maudlin road which was not the subject of an amendment. This report can only address those submissions which refer to amendments to the draft plan.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>27</b>	<b>Trevor Foster on behalf of Dabrena Properties Ltd</b>

**Summary**

The current Kells Draft Development plan shows a roadway from the Ardee road to the Headfort road which traverses Dabrena Properties site. This road splits the Dabrena land holding into 2 parcels. This submission proposes a new road reservation which will allow for greater efficiency in the development of residentially zoned lands, road will be partly located on G1 land which has a lower monetary value, the road will service both parcels of land.

**Response**

The amendments map illustrates a road from the Carlanstown road to the Headfort road and expresses a desire of the Planning Authority to provide a link between these two roads which would also provide a means of access to lands in this sector of Kells. The route of the road between the two roads is shown indicatively only on the amendment map. The submission appears to be relocating the road out of their land holding. An appropriately designed housing scheme can be achieved for the site taking account of the need to link the Headfort and Carlanstown roads.

**Recommendation**

No change recommended.

Submission No	Name & Address
28	<b>Declan Brassil, on behalf of the Kells Development Company Ltd</b>

**Summary**

This submission refers to lands in the company's ownership in the Kells Backlands. There are 2 principal issues outlined in this submission:

1. Order of Priority

The submission seeks to have the lands in the company's ownership which are designated for release in phase 2 identified as Phase 1. This proposed designation prejudices the viability of the current planning application before the Council for the lands. The designation flies in the face of stated and adopted policies for the town including Section 2.1.8.2 of the adopted Meath County Development Plan and policies in the Draft Kells Development Plan which emphasis the priority of redevelopment of the town centre and utilisation of brown field/in fill sites rather than peripheral residential development. The phase 2 designation also prejudices the delivery of the Backlands LAP, a project which was subject to considerable planning input. The submission seeks to have the lands identified in phase 2 identified within phase one for release pre 2013.

2. Amendment to Objective KS3

The submission notes that the part of the KS3 objective which required "that development of the town centre expansion area identified shall commence only when 50% of the development of phase 1 of the Backlands area has been complete" has been removed. This according to the submission effectively negates the retail evaluation work carried out by DTZ Piedad on behalf of KTC and MCC. This evaluation prioritised the phase 1 area of the LAP for town centre expansion. The submission states that should the phasing objective be removed this could seriously jeopardize agreements the company have in place with major retailers as it introduces a degree of uncertainty to the planning process. There has been no change in circumstances since the adoption of the LAP to justify a departure from it. The submission seeks to have the statement "that development of the town centre expansion area identified shall commence only when 50% of the development of phase 1 of the Backlands area has been complete" reinstated into the Development Plan.

The submission concludes that legal advice has been obtained which states that the proposed amendments could successfully be judicially reviewed.

**Response**

The Manager concurs with the comments expressed regarding focus on development of the town centre and the need to achieve development in the Backlands LAP area. The Managers report on submissions on the draft Development Plan recommends an order of priority which emphasises development/consolidation of the town centre as phase 1 priority. In respect of the KS3 objective the Managers report on submissions on the draft Development Plan recommended the retention of the link between development in phase 1 of the backlands and the KS3 lands, however a reduction to 40% was recommended.

**Recommendation**

The Manager recommends, in accordance with his previous report, an allocation of Phase 1 priority release to phase 1 and 2 of the Backlands LAP lands in order to achieve town centre consolidation over the plan period.

The Manager recommends, in accordance with his previous report, that the statement “that development of the town centre expansion area identified shall commence only when 40% of the development of phase 1 of the Backlands area has been complete” be reinstated into the Development Plan.

Submission No	Name & Address
<b>29</b>	<b>Paul Irwin, OBK Architects on behalf of Barry and Gerry Callaghan</b>

### Summary

This submission relates to a site of 3.35 acres( 1.36 ha) adjoining the Navan Road. The site is proposed to be zoned for low density residential development in the amendments to the draft plan (zoned A2 residential in the 2001 KDP). The land is to be released as part of phase 1 in the order of priority. The submission seeks that the A2 zoning be reinstated as the lands are located 600m from the town centre and are opposite community facilities. A indicative layout is illustrated which provides for 65 units at 16 units to the acre. The submission suggests that the site could be developed in 2 parts with 30 units released initially and the remainder to be dependant on the annual review of the order of priority.

### Response

The order of priority outlined in the Managers Report on submissions on the draft plan was devised in accordance with the principals set out in the County Development Plan and included these lands in phase 2. The lands the subject of this submission do not accord with the criteria determining the release of residentially zoned land as outlined in Section 2.1.7.1 of the County Development Plan 2007-2013. Therefore allocating these lands an earlier release data would not accord with the proper planning and sustainable development of Kells.

### Recommendation

The Manager recommends that these lands be zoned A2 residential and identified for release post 2013.

Submission No	Name & Address
<b>30</b>	<b>Mark Johnson, Tom Phillips and Associates on behalf of Weyman Properties Ltd</b>

### Summary

The submission refers to lands in Phase 2 of the Backlands LAP.

#### 1) KS4 Objective

The submission outlines support for the amendments to the KS4 objective which omits reference to phase 2 being contingent on the completion of development of any percentage of phase 1 of the LAP area. In the interests of clarity the submission requests that it be explicated stated that the lands denoted as phase 2 in the Backlands LAP are no longer restricted in terms of the timing of their development being contingent on the partial completion of the development of the phase 1 lands.

2) K3 Objective

The submission notes that the part of the KS3 objective which required “that development of the town centre expansion area identified shall commence only when 50% of the development of phase 1 of the Backlands area has been complete” has been removed. This according to the submission jeopardizes the realisation of objectives contained within the Backlands LAP. This also according to the submission changes the focus of the draft Development Plan from one where development of the Backlands was given some precedence reflecting the DTZ Pidea Report to one where the KS3 lands are almost on an equal footing. The submission is seeking a reinstatement of the KS3 objective in full.

3) Order of Priority

In relation to the order of priority for the release of residentially zoned land concern is expressed that only a small portion of Weyman land is allocated for residential development until 2013. the submission states that it is not intended to include significant residential development, the provision of residential development will play its part in a successful mixed use development. The amendments appear to be promoting residential development which is the equivalent of suburban zones and is prejudicing the development of the town centre. This also goes against the provisions of the Meath County Development Plan Section 2.1.7.1. The submission in summary seeks to have all of the lands identified in Phase 1 and 2 of the Backlands LAP included in Phase 1 of the Order of Priority.

4) Community Gain

The submission suggests that a policy be included in the Development Plan which allows for the levying of supplementary development contributions to part finance the provision of infrastructure within Kells.

**Response**

In reference to the KS4 objective there is no difficulty with inserting clarification as sought in this submission. The Manager concurs with the comments expressed regarding focus on development of the town centre and the need to achieve development in the Backlands LAP area. The Managers report on submissions on the draft Development Plan recommends an order of priority which emphasises development/consolidation of the town centre as phase 1 priority. In respect of the KS3 objective the Managers report on submissions on the draft Development Plan recommended the retention of the link between development in phase 1 of the backlands and the KS3 lands, however a reduction to 40% was recommended. in respect of supplementary contributions, the adopted Development Contributions Scheme for Kells provides for the preparation of a supplementary contributions scheme for the backlands LAP area.

**Recommendation**

The Manager recommends, in accordance with his previous report, an allocation of Phase 1 priority release to phase 1 and 2 of the Backlands LAP lands in order to achieve town centre consolidation over the plan period.

The Manager recommends, in accordance with his previous report, that the statement “that development of the town centre expansion area identified shall commence only when 40% of the development of phase 1 of the Backlands area has been complete” be reinstated into the Development Plan.

Submission No	Name & Address
<b>31</b>	<b>Christopher O Rourke Design on behalf of Jackie Howard</b>

**Summary**

This submission refers to land west of Headfort Golf club which was not the subject of an amendment. This report can only address those submissions which refer to amendments to the draft plan.

**Response & Recommendation**

No change recommended.

Submission No	Name & Address
<b>32</b>	<b>Frank Burke &amp; Associates on behalf of James Morris, Carra House, Headfort road</b>

**Summary**

The submission refers to 0.2ha of land 150m north of the Headfort road, the major part of the field was sold to Dabrena properties. The amendments to the Kells Draft Development plan shows a roadway from the Ardee road to the Headfort road which traverses Dabrena Properties site and Mr Morris's land. The submission indicates that there is no reference to this road in Chapter 7 of the Draft Plan or the amendments and it is considered that this road should be included as an objective. This submission proposes an amendment to the line of the road which would be a better link and will provide access to zoned lands. The submission states that a major road access should not run through a residential area, rather it should run along the boundary, the road would also provide a buffer between the sewage works and residential development. The submission concludes by requesting that the location of the access road be changed in accordance with detail provided.

**Response**

The amendments map illustrates a road from the Carlanstown road to the Headfort road and expresses a desire of the Planning Authority to provide a link between these two roads which would also provide a means of access to lands in this sector of Kells. The route of the road between the two roads is shown indicatively only on the amendment map. The submission appears to be relocating the road out of their land holding. An appropriately designed housing scheme can be achieved for the site taking account of the need to link the Headfort and Carlanstown roads.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>33</b>	<b>James J Morris, Carra House, Headfort road</b>

**Summary**

The submission refers to 0.2ha of land 150m north of the Headfort road, the major part of the field was sold to Dabrena properties. The amendments to the Kells Draft Development plan shows a roadway from the Ardee road to the Headfort road which traverses Dabrena Properties site and Mr Morris's land. The submission indicates that there is no reference to this road in Chapter 7 of the Draft Plan or the amendments and it is considered that this road should be included as an objective. This submission proposes an amendment to the line of the road which

would be a better link and will provide access to zoned lands. The submission states that a major road access should not run through a residential area, rather it should run along the boundary, the road would also provide a buffer between the sewage works and residential development. The submission concludes by requesting that the location of the access road be changed in accordance with detail provided.

**Response**

The amendments map illustrates a road from the Carlanstown road to the Headfort road and expresses a desire of the Planning Authority to provide a link between these two roads which would also provide a means of access to lands in this sector of Kells. The route of the road between the two roads is shown indicatively only on the amendment map. The submission appears to be relocating the road out of their land holding. An appropriately designed housing scheme can be achieved for the site taking account of the need to link the Headfort and Carlanstown roads.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>34</b>	<b>Department of Communications, Marine &amp; Natural Resources</b>

**Summary**

The Department have no comments at this time.

**Response & Recommendation**

No change recommended.

Submission No	Name & Address
<b>35</b>	<b>Kells &amp; District Chamber of Commerce</b>

**Summary**

This submission is general and does not comment on specific amendments. The chamber is concerned that WWTP capacity deficiencies must be addressed. The submission emphasis the importance of linkages between the existing town centre and the backlands LAP area. Consideration must also be given in the draft plan to possible future rail line routing and ancillary car parking.

**Response & Recommendation**

No change recommended.

Submission No	Name & Address
<b>36</b>	<b>Nathanial Lacy &amp; Partners, on behalf of Mrs. Gogarty and Mr and Mrs. James Dempsey, Headfort rd</b>

**Summary**

This submission objects to the a roadway from the Ardee road to the Headfort road which is to be situated between Mrs. Gogarty and Mr and Mrs. James Dempsey, Headfort road. The submission indicates that the site is not of sufficient size to accommodate the road, the Headfort road will be unable to sustain increased traffic, no reason provided for the road in the amendments.

**Response**

The amendments map illustrates a road from the Carlanstown road to the Headfort road and expresses a desire of the Planning Authority to provide a link between these two roads which would also provide a means of access to lands in this sector of Kells. The route of the road between the two roads is shown indicatively only on the amendment map.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>37</b>	<b>Sean Boyle and Associates on behalf of Edward Woods Oldcastle rd</b>

**Summary**

This submission refers to land which was not the subject of an amendment. This report can only address those submissions which refer to amendments to the draft plan.

**Response & Recommendation**

No change recommended.

Submission No	Name & Address
<b>38</b>	<b>Eugene and Anne Reilly, Kilberry Navan</b>

**Summary**

This submission relates to 140 acres adjoining Navan road. A reduction in the 50 m buffer to 20m is sought including a slip road. If 22 acres of land are ceded for community facilities 30 % of the remainder of the land must be zoned for low density residential development post 2013 executive style housing will be needed close to the golf course. The landowners will work with MCC to attract investment to the employment zone. The submission seeks that all their lands be included within the framework plan. Access is sought off the M3 slip road. A temporary wastewater treatment plant will be provided on these lands if required. The submission states that it would be unwise to enter into a legal agreement at this stage for transfer of community lands pending residential zoning.

**Response**

The buffer will accommodate the slip road. The offer of community gain referred in an earlier submission has not been followed through, therefore identification of residential lands is not justified.

**Recommendation**

Omit reference to residential development in KS1 objective.

Submission No	Name & Address
<b>39</b>	<b>OMS Architects</b>

**Summary**

This submission relates to the KS3 lands and seeks to have amended wording inserted into Section 3.2.1 as follows: "the order of priority shall be subject to continuous monitoring by the

planning department and shall be reviewed annually and/or informed by the Framework plan when adopted.”

**Response**

The order of priority will be subject to annual review and when reviewed will be incorporated into the development plan by means of a variation to the Kells Development Plan. The framework plan is a non-statutory plan which is intended to master plan the area to ensure a coherent approach to development of the entire lands. The order of priority must have a statutory basis and the annual review will take cognisance of the framework plan when complete.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>40</b>	<b>James J Morris Carra House Headfort road</b>

**Summary**

The submission refers to a roadway from the Ardee road to the Headfort road. The submission states that Section 13 (12) of the Planning and Development Act 2000 requires local authorities to make provision on the assessment of the effects of certain plans and programmes on the environment. European Directive 2001/42/EC requires a local authority to make provision in relation to the consideration of the likely significant effects on the environment of implementing a variation to a development plan. No such assessment has taken place and the local authority is therefore acting ultra vires. Until such time as a proper environmental report is published this amendment should not form part of any draft Development Plan.

**Response**

An Environmental report accompanied the Draft Development , this roadway is indicative only at this stage at route design stage environmental issues will be examined in greater detail.

**Recommendation**

No change recommended.

Submission No	Name & Address
<b>41</b>	<b>John Callaghan, 10 The Cloisters Oldcastle Road</b>

**Summary**

This submission relates to two issues:

- Rezoning of lands on Cavan road from community facilities to retail warehousing

This should not occur as the Dept of Education have identified and assessed the likely demand for additional facilities and the land required will be circa 20 acres; without this land all community facilities will be located in the south east of the town; the proposal will be adverse to the National Retail Strategy; reducing the supply of community facilities lands will make remaining lands more expensive.

**Response**

The Manager continues to support the retention of the campus arrangement for schools in Kells. The Cavan road site does not retain this arrangement. There is no national retail strategy, the inclusion of these lands for retail warehousing accords with the Meath County Retail Strategy.

- Rezoning of lands at the Cloisters housing scheme Oldcastle Road from open space to residential use

**Response**

The land referred to in this submission has been zoned open space in the amendments to the Kells Development Plan.

**Recommendation**

No change recommended.

Submission No	Name & Address
42	<b>Laurence Walsh and Elizabeth Smyth Kells Parish Pastoral Council, Parochial House Kells</b>

**Summary**

This submission seeks that consideration be given to a site for the purpose of constructing a parish centre

**Response**

There are sufficient lands zoned for community facilities in Kells to accommodate a parish centre.

**Recommendation**

No change recommended.

Submission No	Name & Address
43	<b>George Canavan, Eureka Secondary School Parents Assoc</b>

**Summary**

The Eureka school site is no longer suitable to accommodate the school, accommodation is inadequate and dispersed. There are no sports/playing fields, gym is in poor condition. Zoning of the Cavan road site for community/educational/recreational facilities is supported as the site is in the final stages of transfer to the Dept of Education and previous communication with MCC officials suggested that zoning would not be an issue on the site. Meath County Council planners and Dept of Education officials inspected the site and agreed its suitability. The site size is ideal and has all necessary services, infrastructure and access arrangements. This site will ensure for the quick delivery of a new school for Eureka. There are no other sites suitable in Kells which meet the necessary criteria.

**Response**

The Manager continues to support the retention of the campus arrangement for schools in Kells. The relocation of Eureka to the Cavan road does not retain this arrangement.

**Recommendation**

No Change recommended.

Submission No	Name & Address
<b>44</b>	<b>James J Morris Jr, Carra House Headfort road</b>

### Summary

The amendments to the Kells Draft Development plan shows a roadway from the Ardee road to the Headfort road which traverses Dabrena Properties site and Mr Morris's land. The submission indicates that there is no reference to this road in Chapter 7 of the Draft Plan or the amendments and it is considered that this road should be included as an objective. This submission proposes an amendment to the line of the road which would be a better link and will provide access to zoned lands. The submission states that a major road access should not run through a residential area, rather it should run along the boundary, the road would also provide a buffer between the sewage works and residential development. The submission concludes by requesting that the location of the access road be changed in accordance with detail provided.

### Response

The amendments map illustrates a road from the Carlanstown road to the Headfort road and expresses a desire of the Planning Authority to provide a link between these two roads which would also provide a means of access to lands in this sector of Kells. The route of the road between the two roads is shown indicatively only on the amendment map. The submission appears to be relocating the road out of their land holding. An appropriately designed housing scheme can be achieved for the site taking account of the need to link the Headfort and Carlanstown roads.

### Recommendation

No change recommended.

Submission No	Name & Address
<b>45</b>	<b>Stephen Collins on behalf of Austin Developments</b>

### Summary

This submission refers to the proposed re zoning of lands in the Cloisters housing estate. Austin Developments developed 27 units on the site having bought the site with p/p for 38 units. The parent p/p lapsed and the submission outlines efforts made to secure p/p on the remaining land. The submission expresses surprise that the portion of land on which there is a p/p which has lapsed has been zoned F1 open space. The submission seeks that the zoning of this land A1 or A2 residential as it will allow for the completion of the development, the lands are completely unsuitable for open space as the area is bounded by blank rear boundary walls of two houses and the side boundary walls of two more houses. The lands would therefore be completely unsupervised with a poor aspect which could cause potential security problems. There is no justification for this de zoning and compensation for this loss. It is respectfully requested that the map revert back to the January 2007 configuration. The submission also seeks phase one priority allocation for these lands to facilitate completion of the estate.

### Response

The Manager refers to his response and recommendation on this issue in his previous report. The scheme has not been completed and there are outstanding works yet to be completed by the developer. The Kells Office have met with the developer to progress matters regarding to completion of the estate. The layout as permitted in 1998 provided for a reasonable area of public open space to serve the scheme and provided for dwellings over looking the area of open space. An open space land use zoning objective would result in a large area of open space with

the side and backs of dwellings fronting the open space which is not desirable, it is therefore the recommendation of the Manager that the zoning as proposed in the Draft Development Plan would be retained for these lands. Any development of this area would provide for housing and open space therefore ensuring that the open space is over looked and supervised.

**Recommendation**

It is recommended that these lands revert back to their draft development plan zoning.

Submission No	Name & Address
<b>46</b>	<b>Cavan Road Residents</b>

**Summary**

This submission seeks to have lands on the Cavan road referred in the submission as the Christian Brothers field zoned for housing. The commercial zoning proposed is strongly objected to.

**Response**

Any additional residential land use zoning in Kells is not required having regard to the existing amount of undeveloped land available, the unit allocation to Kells over the Plan period as outlined in Table 6 of the adopted Meath County Development Plan 2007- 2013, the lack of piped services currently available to service existing lands and the likely time period for upgrading these services.

**Recommendation**

No change recommended

## Appendix A

### **Persons / Bodies who were informed of the publication of the Amendments to the Draft Development Plan under the statutory process.**

Assistant Principal,  
Spatial Policy,  
Department of the Environment, Heritage  
& Local Government,  
Custom House,  
Dublin 1.

Minister for Public Enterprise,  
44 Kildare Street,  
Dublin 2.

Department of Communications,  
Marine & Natural Resources,  
Leeson Lane,  
Dublin 2.

Mr. John Wynne,  
Assistant Principal,  
Co-ordination Unit,

Planning Section,  
Dept. of Education,  
Tullamore,  
Co. Offaly.

Office of Public Works  
Newtown,  
Trim,  
Co. Meath.

Bord Failte,  
Baggot Street Bridge,  
Dublin 2.

Central Fisheries Board  
Mobhi Boreen,  
Glasnevin,  
Dublin 9.

The Secretary for ESB,  
ESB Head Office,

27 Lower Fitzwilliam Street,  
Dublin 2.

Dublin Transport Office  
Floor 3, Hainault House,  
69-71 St. Stephens Green,  
Dublin 2.

Commissioners of Public Works  
51 St. Stephens Green,  
Dublin 1.

National Heritage Council,  
Rothe House,  
Parliament Street,  
Kilkenny.

Health Board Executive,  
North Eastern Area,  
Headfort Place,  
Kells,  
Co. Meath.

Eastern Regional Fisheries Board,  
15A Main Street  
Blackrock  
Co. Dublin.

National Roads Authority,  
St. Martins House,  
Waterloo Road,  
Dublin 2.

Department of Arts,  
Sports & Tourism,  
Kildare Street,  
Dublin.

An Taisce,  
Tailors Hall,  
Back Lane,  
Dublin 8.

Dublin Regional Authority,  
11 Parnell Square,  
Dublin 1.

The Manager,  
Development Applications Unit,  
Department of the Environment  
& Local Government,

Dun Sceine,  
Harcourt Lane,  
Dublin 2.

Minister for Education &  
Science,  
Secretarial Headquarters,  
Marlborough St.,  
Dublin 1.

Meath County Development Board,  
County Hall,  
Railway Street,  
Navan,  
Co. Meath.

National Parks & Wildlife Service,

Department. of Environment, Heritage  
& Local Government,  
7 Ely Place,  
Dublin 2.

Bus Eireann,  
Broadstone,  
Dublin 7.

An Taisce,  
Gate Lodge,  
Bective House,  
Balgill,  
Navan,  
Co. Meath.

Mr. John Barry,  
Manager of Capital Projects  
Transmission Operations  
Bord Gais Eireann,  
Gasworks Road,  
Cork.

Mr. Tadhg O'Mahony,  
Regional Inspectorate,  
Environmental Protection Agency,  
Inniscarra,  
Co. Cork.

