

KELLS DEVELOPMENT PLAN 2013 - 2019

5ddYbX]l 'J
Statement Outlining Compliance
with Ministerial Guidelines

Adopted 7th October 2013



APPENDIX J – STATEMENT OUTLINING COMPLIANCE WITH MINISTERIAL GUIDELINES

Under section 28 of the Planning and Development Act 2010, Meath County Council and Kells Town Council (as Statutory Planning Authorities) are required to append a statement to the Development Plan to include information which demonstrated:-

1. How the Councils have implemented the policies and objectives of the Minister contained in the Guidelines when considering their application to the area or part of the area of the Development Plan.
2. Alternatively, if the Councils have formed the opinion that is not possible, because of the nature and characteristics of the area or part of the area of the Development Plan, to implement certain policies and objectives of the Minister contained in the guidelines, the statement shall give the reasons for the forming of the opinion and why the policies and objectives of the Minister have not been so implemented.

The requirement statement pertaining to the draft Kells Development Plan 2013-2019 is set out below. The draft Kells Development Plan 2013-2019 is referred to hereunder as 'the Plan'.

No.	Section 28 Guidelines	Kells Development Plan 2013-2019
1.	Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)	<p>The preparation of the Draft Plan has had regard to this guidance document.</p> <p>Appropriate Assessment has been undertaken as part of the plan preparation and the output reports are included within Volume 2 of adopted Kells Development Plan. The process of Appropriate Assessment was an iterative process when continued throughout the review period of the Plan.</p> <p>Mitigation policies have been included in the Plan where identified as part of the Appropriate Assessment Process.</p>
2.	Architectural Heritage Protection Guidelines (2004)	<p>Chapter 10 (Heritage & Environment) of the Plan addresses architectural and archaeological protection and conservation.</p> <p>Policies and objectives contained within this plan have regard to various legislative provisions and policy guidance documents, including the Planning & Development Acts 2000 - 2013, Architectural Heritage Protection Guidelines 2004 and the Ministerial Recommendations made on foot of the National Inventory of Architectural Heritage for County Meath.</p> <p>The Plan provides a list of the Record of Protected Structures in Volume 3 Appendix C. The list of Architectural Conservation Areas is provided in Chapter 10 whose boundaries</p>

		<p>remain unaltered from the previous Kells Development Plan 2007 - 2013.</p> <p>This chapter also includes policies and objectives relating to Protected Structures, Architectural Conservation Areas and Archaeological Heritage.</p>
3.	Childcare Facilities (2001)	<p>Chapter 6 Community Facilities, Recreation and Open Space address the issue of Childcare Facilities. Section 5.8 of Chapter 5 refers to childcare facilities and includes policies which have regard to the recommendations and requirements of the <i>Childcare Facilities: Guidelines for Planning Authorities 2001</i>.</p> <p>Section 6.1 of Chapter 6 sets out (pursuant to SOC POL 5) the locations where childcare facilities will normally be required and advises that planning applications will be considered having regard to compliance with the Child Care (Pre-School Services) (No.2) Regulations 2006 and the Child Care (Pre-School Services) (No.2) Amendment Regulations 2006.</p>
4.	Sustainable Urban Housing - Design Standards for New Apartments (2007)	<p>The Kells Development Plan largely relies on the Development Management Standards and Guidelines contained in the Meath County Development Plan 2013 – 2019. Chapter 11 Development Management Standards and Guidelines states that all apartment developments should comply with the Guidelines. Section 11.2.2.3 specifies that design statements for apartment developments are required to include details of compliance with the standards set out in the Guidelines, including space standards for each unit and the quantity of space provided in each unit.</p>
5.	Development Management Guidelines (2007)	<p>The Kells Development Plan relies largely on the Development Management Standards and Guidelines contained in the Meath County Development Plan 2013 – 2019. Chapter 11 Development Management Standards and Guidelines refers to Environmental Impact Assessment, Appropriate Assessment and the Development Contribution Scheme in accordance with the Guidelines.</p>
6.	Development Plan – Guidelines for Planning Authorities (2007)	<p>The Development Plan Guidelines for Planning Authorities have informed the preparation of this Development Plan. The Strategic Context & Core Strategy (Chapter 2) sets out the planning framework for the future development of Kells in a consistent manner with the National and Regional Planning Policy and building on the Core Strategy contained in</p>

		<p>the Meath County Development Plan 2013 – 2019. In particular, the Plan identifies the location of new residential development to adhere to the recommended household and population allocations contained in the Meath County Development Plan Core Strategy and also reviews the quantum, nature and scale of employment generating land uses within the plan envelop as required. This has resulted in the removal of land use zoning objectives from significant tracts of lands which were identified for residential and employment generating land uses in the previous 2007 – 2013 Kells Development Plan.</p>
7.	Provision of Schools and the Planning System (2008)	<p>Chapter 6 Community Facilities, Recreation and Open Space has had regard to the Guidelines, in particular Sections 6.3 Education. Section 6.3 specifies the role of the Planning Authorities in relation to education and refers to 'the Provision of Schools and the Planning System, A Code of Practice for Planning Authorities (2008)'.</p> <p>Policies contained within Section 6.3, in particular SOC POL 10 – 14 and SOC OBJ 5, have had regard to the Guidelines. The Development Management Standards and Guidelines set out in Chapter 11 (of the Meath County Development Plan) refer to the Guidelines and also specify that the technical guidance document TGD-027 and TGD-025 will also be considered for post primary schools and primary schools respectively (section 11.4).</p> <p>In addition, the Planning Authorities liaised closely with the Department in the preparation of the Plan including the zoning of a site owned by the Department on the Cavan Road for educational purposes.</p>
8.	Retail Planning Guidelines (2012)	<p>Chapter 4 Town Centre sets out the retail policies and objectives of the Plan. A Kells Retail Review (2012) is also contained in Volume III, Appendix B. The Meath County Retail Strategy (2013 -2019) has been prepared and is contained as Appendix 5 of the Meath County Development Plan 2013 - 2019. The policies in chapter 4 have also had regard to the County Retail Hierarchy and to the Retail Strategy for The Greater Dublin Area (2008).</p>
9.	Guidance on Spatial Planning & National Roads (2012)	<p>The Plan acknowledges the publication of the Spatial Planning and National Roads Guidelines. Section 8.5 deals with "Future Development and the National Road Network"</p>

		<p>and TRAN POL 2 seeks to protect the safety and free flow of traffic on national routes. Developers should refer to the NRA's All development is accessed onto the local and regional road network in accordance with the recommendations of the Guidelines.</p> <p>In addition, the Planning Authorities liaised closely with the National Roads Authority in the preparation of the Plan.</p>
10.	Strategic Environmental Assessment (SEA) Guidelines (2004)	<p>The preparation of the Plan has had regard to this guidance document.</p> <p>A full Strategic Environmental Assessment has been undertaken as part of the plan preparation and the output reports are included within Volume 2 of adopted Kells Development Plan. The process of Strategic Environmental Assessment was an iterative process when continued throughout the review period of the Plan.</p> <p>Mitigation policies have been included in the Plan where identified as part of the Appropriate Assessment Process.</p> <p>The designated Environmental Authorities were instrumental in assisting the Planning Authority in this regard.</p>
11.	Sustainable Residential Development in Urban Areas (2009)	<p>Chapter 2 Strategic Context & Core Strategy, Chapter 5 Housing (& Chapter 11 Development Management Standards and Guidelines of the Meath County Development Plan) have had regard to the Guidelines. The land use zoning objectives and the Backlands Framework Plan (Appendix E) also refer to the Guidelines.</p> <p>The proposed density advocated as appropriate in the Plan adhere to the guidance proffered for Kells noting that the centre had a population in excess of 5,000 people and therefore the Guidelines shall be regarded in the preparation of the Plan.</p>
12.	The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)	<p>A Strategic Flood Risk Assessment (SFRA) has been carried out for the Plan having regard to The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009. The SFRA is contained within Volume 3 Appendix A of the Plan.</p> <p>Policies and objectives in relation to flood risk management are included in the Plan in Chapter 8 Infrastructure including Development Management Guidelines.</p>

		Adherence to the recommendations of the SFRA required the removal of land use zoning objectives from certain lands previously identified for town centre expansion and use of the Justification Test was also required.
15.	Quality Housing for Sustainable Communities – Design Guidelines (2007)	The County Housing Strategy prepared to inform the policies contained in the County Development Plan have also been relied to in the preparation of Chapter 5 Housing of this Plan. Specific reference is made to the Guidelines in HS POL 8.
16.	Wind Energy (2006)	Chapter 9 Telecommunications & Energy has had regard to the <i>Wind Energy Guidelines for Planning Authorities, 2006</i> . Section 9.3.6 deals specifically with Wind Energy. It is considered unlikely, with the exception of applications for individual turbines as part of industrial developments that proposals for wind energy will be advanced within the plan envelop.
17.	Architectural Heritage Protection for Places of Worship	There are a number of places of worship recorded for protection in the Record of Protected Structures and these are identified in Appendix C of Volume III and accompanying policy provided for in Chapter 10.