

11 August 2020

Mr Damien Ginty, Senior Planner, Planning Department, Kerry County Council, County Buildings, Rathass, Tralee, Co. Kerry.

Re: Proposed Material Alterations to the Draft Listowel Municipal District LAP 2019-2025

A chara,

Thank you for your authority's work in preparing the proposed Material Alterations to the Draft Listowel Municipal District LAP 2019-2025.

The Office of the Planning Regulator (the Office) has evaluated and assessed the proposed material alterations to the draft Local Area Plan (LAP), above, under the provisions of Section 31AO(2) of the Planning and Development Act 2000, as amended (the Act) and within the context of the OPR's recommendations to the draft LAP in December 2019.

The submission below has been prepared to provide a high-level input to your authority in finalising the LAP.

The Office is satisfied with the planning authority's responses to Recommendations 1-3 as contained in its letter of 13 December 2019. In relation to Recommendation 4, the planning authority is advised to give full consideration to any submission by the Office of Public Works in relation to the Strategic Flood Risk Assessment and any implications arising from **Amendment 17**.

The Office also advises as follows relation to the proposed amendments:

• Amendment 30: The proposal to amend the zoning of a parcel of land in Ballybunion, the site of the former Castle Hotel, from Conservation (G3) to Tourism and Related (C5) is a

matter for the planning authority, having regard to the relevant planning considerations. It is noted, however, that residential development is open for consideration under the C5 zoning objective. Having regard to the concerns raised in Recommendation 1 in relation to consistency with the core strategy, and the quantum of the subject land, consideration should be given to amending objective BN-TM-5 to ensure that any proposal for the site should relate to the primary objective to facilitate tourism development, and any additional development should be ancillary to this purpose.

• Amendment 33: The Office notes that Amendment 33 proposed amending the zoning of lands at the southern edge of Lixnaw from (O1) Strategic reserve to Strategic Residential reserve (R4). While the wastewater treatment plant will provide some additional capacity in the settlement, Lixnaw is a tier 4 settlement with limited allocation of population growth under the core strategy. Having regard to the capacity for residential development on the site of the adjacent unfinished housing development (zoned R2 Existing Residential) and the proposed R4 and mixed use/existing residential elsewhere in the settlement, the consistency of a further R4 zoning in Lixnaw with the core strategy is questioned. The Office advises the planning authority to consider omitting Amendment 33 pending the assessment of the requirement for residential zoned land in the review of the core strategy and settlement hierarchy as part of the review of the Kerry County Development Plan 2015-2021 and preparation of the Kerry County Development Plan 2022-2028.

The Office advises the planning authority that the Listowel Municipal District LAP should be reviewed within 6 months of the adoption of the next County Development Plan to address any inconsistencies with respect to the quantum of land zoned for residential development in the area and any infrastructural constraints, by way of a further variation to the LAP if necessary.

This is to ensure that the allocation of population growth to the settlements within the municipal district is appropriate in respect of their position in the settlement hierarchy, the availability of infrastructure and national and regional policies affecting the city and county.

<u>Summary</u>

Your authority is required to notify this Office within five working days of the making of the variation and send a copy of the written statement and maps as made, in accordance with section 31AO(5) of the Act. Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at plans@opr.ie.

Yours sincerely,

AM C'Gnue.

Anne Marie O'Connor Deputy Regulator and Director of Plans Evaluations, Office of the Planning Regulator

087 689 4771 AnneMarie.OConnor@opr.ie