
Callan Local Area
Plan 2009-2015
**Proposed
Amendment 1**

Manager's Report on
Submissions
6th March 2012

Forward Planning, Kilkenny
County Council



Introduction

This report presents the submissions and observations made following the display period (21st December 2011 to 10th February 2012) of Proposed Amendment 1, and sets out the Manager's responses to the issues raised. The report forms part of the statutory procedure for making an Amendment, as set out in Section 20 of the Planning and Development Acts, 2000-2010.

A total of three written submissions were received in response to the public display period. A Table of Submissions is set out below, with the name on the submission.

Structure of the Report

The Report is presented in two parts:

- Part A: Issues raised by the Minister and Manager's Response and Recommendations
- Part B: Issues raised by other bodies or persons and Manager's Response and Recommendations

Part A and B address each of the three written submissions and observations received. It includes the names and addresses of persons or bodies that made the submissions and observations, a summary of the issues raised, and the response and recommendation of the Manager on each submission.

Any paragraph, policy or objective to be amended in the Local Area Plan is reproduced in full, with deleted text (~~struck through~~) and additional text in *italics*.

Next Steps

The members shall consider the proposed Amendments and the Manager's Reports, and following this consideration the local area plan shall be deemed to be amended, unless the planning authority by resolution, decides to alter the Amendment or not to amend the plan. If the Members decide to materially alter the proposed Amendment, a further period of public consultation will be necessary.

Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA)

A Screening for Strategic Environmental Assessment and a Screening report for Appropriate Assessment accompanies Amendment No. 1 to the Callan LAP. The screening report for SEA determined that the Amendment would have no significant impact on the environment. The screening report for AA determined that there would be no significant effects on any Natura 2000 sites as a result of this Amendment.

If the Planning Authority engages in a further round of public consultation for proposed material alterations to Amendment No. 1 of the Callan LAP, the planning authority must screen any proposed material changes to determine if an SEA or AA or both are required of any of the material alterations and what period is necessary for the carrying out of any SEA or AA.

This screening, and if necessary the SEA or AA, must be carried out before proceeding to the public consultation period. The public display of any material alterations is a minimum of 4 weeks during which submissions with respect to the proposed material alterations will be taken into account before the Amendment is made.

Following the public consultation period a further Manager's Report is prepared and the members must consider the proposed Amendment, the alterations to the proposed Amendment, any environmental reports and the Manager's Report on any submissions received and decide whether to make the Amendment with or without the proposed alterations.

Table of Submissions

Ref.	Name
PAC1	Dept. of Environment
PAC2	Shirley Crosbie, OPW
PAC3	Dept. of Arts, Heritage and the Gaeltacht

Part A: Issues raised by the Minister and Manager's Recommendations

Name/Group:	Dept. of the Environment, Community & Local Government, c/o Patrick O'Sullivan, Planning & Housing Policy Section	
Submission PAC1:	Response:	Manager's Recommendation:
<p>The Department commends the Council on preparing a detailed and clear Core Strategy Amendment which includes SEA, AA and Flood Risk Assessment.</p> <ol style="list-style-type: none"> 1. It is noted that the lands included in Phase 1 exceed the housing land requirement allocated in the Development Plan Core Strategy. It would be helpful for the Council to outline the rationale for this approach and also to clarify if this excess will be taken from the total of housing land elsewhere in the county. 2. The proposed amendments to the Callan and Thomastown LAPs should have regard to the Guidelines on Flood Risk Management and a) ensure that the zoning of land satisfies the Development Plan Justification Test and b) the classification of agricultural land should be consistent with the Guidelines. 	<ol style="list-style-type: none"> 1. The allocation from the County Development Plan (Variation 1) for Callan was 4.1 hectares. The LAP contained a total of 63 hectares of undeveloped zoned land. The Proposed Amendment reduces the land available from 63 to 15.2 hectares through phasing of the land. In addition, a Justification Test has been included to ensure that any development permitted on Phase 1 lands demonstrates that the proposal is consistent with the County Development Plan Core Strategy. It is not intended to revise the County Core Strategy on the basis of this Amendment. The County Core Strategy will be reviewed comprehensively as part of the review of the County Development Plan. A Draft Development Plan, with new Core Strategy, will be published in 2013. 2. Noted – see Submission PAC2 from the OPW. 	<ol style="list-style-type: none"> 1. No change recommended. 2. See Submission PAC2 from OPW.

Part B: Issues raised by the other bodies/persons and Manager's Recommendations

Name/Group:	Shirley Crosbie, OPW		
Submission PAC2:	Response:	Manager's Recommendation:	
<p>1. The OPW welcomes that a Flood Risk Assessment (FRA) has been carried out as part of the Amendment.</p> <p>2. The OPW welcomes the inclusion of policies in relation to flooding in the Amendment.</p> <p>3. The OPW note that a Flood Risk Management Study was carried out for Callan, which mapped the 100 year flood extent around the River Nore. The OPW recommends that this extent be used to identify flood zone A in any future revisions of the SFRA.</p> <p>4. The OPW recommends that the assessment of sites demonstrates that the zoning satisfies the Development Plan Justification Test.</p>	<p>1. Noted.</p> <p>2. Noted.</p> <p>3. This information was taken into account and the SFRA was revised. The revised FRA will be published with the amended plan.</p> <p>4. The Development Plan Justification Test was carried out and included in the revised FRA. The Justification Test was satisfied.</p>	<p>1. No change recommended.</p> <p>2. No change recommended.</p> <p>3. No change recommended.</p> <p>4. No change recommended. The revised FRA will be published with the amended plan.</p>	

Name/Group:	Department of Arts, Heritage and the Gaeltacht, c/o Yvonne Nolan	
Submission PAC3:	Response:	Manager's Recommendation:
<ol style="list-style-type: none"> 1. The potential impacts on the archaeological heritage relating to planning and flood risk should be subject to full and detailed archaeological assessment, with reference also to potential visual impact. 2. Monuments that are National Monuments in State (or Local Authorities) ownership or guardianship and those that are subject to Preservation Orders should be identified and zones of visual amenity defined for them. 3. Areas of high archaeological potential including subsurface remains should be identified. 4. The avoidance of archaeological remains is of prime importance. Where required, buffer areas around monuments should be appropriate to the nature and scale of the monument and the proposed development. 	<ol style="list-style-type: none"> 1. Noted. This is assessed as part of the development management process for any proposed development. 2. The Recorded Monuments in Callan are identified on Map 5.5: Environmental Constraints of the Local Area Plan and are also listed in List A1.1 and further identified on figure A1.2. The three National Monuments in State care in Callan (Callan Abbey (Friary), Church and motte at Westcourt Demesne) are identified on this map. List A1.1 will be amended to reflect this. Map 5.5 is unaffected by this Amendment. 3. The zone of Archaeological Potential is identified on Map 5.5: Environmental Constraints. Map 5.5 is unaffected by this Amendment. 4. Noted. The need for any buffer area will be assessed as part of the development management process for any proposed development. 	<ol style="list-style-type: none"> 1. No change recommended. 2. Amend List A1 to include reference to Callan Abbey Friary, Callan Church and Motte at Westcourt as National Monuments in State Ownership. 3. No change recommended. 4. No change recommended.